

# OPPORTUNITY FUND INTERIM REPORT 2009

STRENGTHENING THE RULE OF LAW THROUGH  
MULTI-DISCIPLINARY COLLABORATION

WORLD JUSTICE FORUM II

NOVEMBER 11-14, 2009

VIENNA, AUSTRIA





# OPPORTUNITY FUND INTERIM REPORT 2009

STRENGTHENING THE RULE OF LAW  
THROUGH MULTI-DISCIPLINARY COLLABORATION

COAUTHORS: LEILA HANAFI,  
SUSANNA BROWN, AND STEVEN ROSS

WORLD JUSTICE FORUM II  
NOVEMBER 11-14, 2009 VIENNA, AUSTRIA

# ACKNOWLEDGMENTS

THE WORLD JUSTICE PROJECT

WOULD LIKE TO THANK

THE BILL & MELINDA GATES FOUNDATION,

THE GE FOUNDATION,

AND THE OAK FOUNDATION

FOR THEIR GENEROUS SUPPORT OF

THE OPPORTUNITY FUND.

# Table of Contents

OVERVIEW	5
RULE OF LAW ADVANCEMENT AT THE INTERNATIONAL, REGIONAL, AND COUNTRY LEVELS	
AFRICA	9
ASIA	18
LATIN AMERICA & THE CARIBBEAN	24
MIDDLE EAST & NORTH AFRICA	30
NORTH AMERICA	33
INTERNATIONAL	35
ANNEXES	
1. OPPORTUNITY FUND PROGRAMS AND THE RULE OF LAW INDEX	39
2. RULE OF LAW INDEX VERSION 2.0	47
BOXES	
1. OBJECTIVES OF THE OPPORTUNITY FUND	5
2. OPPORTUNITY FUND SELECTION CRITERIA	6
3. OPPORTUNITY FUND GEOGRAPHICAL COVERAGE	6
4. UNIVERSAL PRINCIPLES OF THE RULE OF LAW	7
FIGURES	
1. OPPORTUNITY FUND GLOBAL REACH	6
2. OPPORTUNITY FUND GROWTH MODEL	7
3. DISTRIBUTION OF OPPORTUNITY FUND PROGRAMS BY REGION	45
4. DISTRIBUTION OF OPPORTUNITY FUND PROGRAMS BY DISCIPLINE	45
TABLES	
1. OPPORTUNITY FUND PROGRAMS IN SUB-SAHARAN AFRICA	17
2. OPPORTUNITY FUND PROGRAMS IN ASIA	23
3. OPPORTUNITY FUND PROGRAMS IN LATIN AMERICA & THE CARIBBEAN	29
4. OPPORTUNITY FUND PROGRAMS IN THE MIDDLE EAST & NORTH AFRICA	32
5. LIST OF 2009 APPROVED ROUND I OPPORTUNITY FUND PROGRAMS	39
6. OPPORTUNITY FUND PROGRAMS BY REGION AND RULE OF LAW INDEX FACTOR	43



# OVERVIEW

## OBJECTIVES OF THE OPPORTUNITY FUND

The Opportunity Fund has two equally important objectives:

- Strengthen the rule of law in countries around the world through multidisciplinary collaborative action identifying replicable approaches
- Build a worldwide constituency of stakeholders committed to taking action to strengthen the rule of law

The Opportunity Fund began with pilot grants for programs developed at the World Justice Project's (WJP) Sub-Saharan Africa outreach meeting in 2008. Later, the first major round of Opportunity Fund was launched following the inaugural World Justice Forum, that same year. The Fund is currently providing financial and technical assistance to 36 programs spanning all of the world's continents. Grantees are working on a wide variety of rule of law initiatives, ranging from capacity building in India to aid services for the poor, to legal aid training for women in Lebanon, to developing a model for delivering justice services in China. The Fund encourages program ownership by local partners, innovative and multidisciplinary methods for implementation, engagement with the informal justice sector, and measurable impact with long-term sustainability.

The next round of the Opportunity Fund will: support programs sparked as a result of World Justice Forum II breakout sessions and informal discussions; expand the disciplines acting to strengthen specific aspects of the rule of law; and identify new best practices of multidisciplinary approaches for dissemination and replication. The WJP particularly looks forward to supporting programs targeting areas for improvement and reform that have been identified by the Rule of Law Index. Additionally, the WJP plans to prioritize funding in such program areas as: access to justice for poor and marginalized populations; youth empowerment; women and the law; and environmental justice. A preliminary WJP evaluation of the 36 programs demonstrates that the most successful programs have emerged in these areas. In those countries where the Rule of Law Index has been implemented, precedence will be given to programs aimed at addressing the priority areas identified by the respective WJP Index country reports.

## SELECTION CRITERIA FOR THE OPPORTUNITY FUND

- Relevance to the World Justice Project “Four Universal Principles of the Rule of Law”
- Relevance to constituent discipline, nation or region
- Multidisciplinary emphasis
- Demonstration of an urgent need
- Innovative approaches to the Rule of Law
- Measurable Impact
- Program plan quality and feasibility
- Replicability

### 2009 STATISTICS

- 36 competitively-selected programs on 5 continents by participants in 2008 World Justice Forum
- Additional programs have been selected from proposals developed as a result of the May 2009 Cape Town meeting. Further programs will be selected at the World Justice Forum II and future multidisciplinary regional meetings.
- Over 17 Disciplines: Architecture, Arts, Business, Education, Engineering, Human Rights, Judiciary, Labor, Law, Media, Military, Public Health, Public Safety & Law Enforcement, Science and Technology
- Gross Funding: \$840,000
- Size of Grants: \$5,000 to \$60,000



### INITIAL ACCOMPLISHMENTS

- Strengthening the rule of law by creating new constituencies and multidisciplinary coalitions among key disciplines such as health, engineering, education, and human rights
- Informing thousands about their rights and helping them gain access to justice to secure those rights
- Developing best practices with innovative approaches that are replicable within and among countries
- Expanding the network of multidisciplinary stakeholders using the rule of law to combat problems such as gender violence, corruption, environmental degradation, discrimination, poverty, and food security
- Supporting progress with a measurable impact and facilitating long-term sustainability

### GEOGRAPHICAL COVERAGE

- 13 from Africa
- 6 from Asia
- 4 of International Scope
- 9 from Latin America & the Caribbean
- 2 from Middle East & North Africa
- 2 from North America

## UNIVERSAL PRINCIPLES OF THE RULE OF LAW

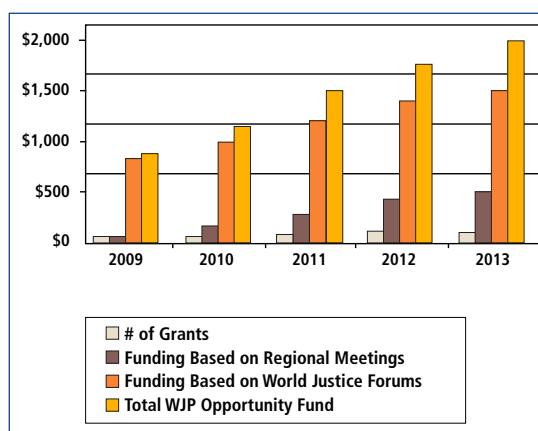
1. The government and its officials and agents are accountable under the law.
2. The laws are clear, publicized, stable and fair, and protect fundamental rights, including the security of persons and property.
3. The process by which the laws are enacted, administered and enforced is accessible, fair and efficient.
4. Access to justice is provided by competent, independent, and ethical adjudicators, attorneys or representatives and judicial officers who are of sufficient number, have adequate resources, and reflect the makeup of the communities they serve.

### INITIAL LESSONS LEARNED

The 36 programs implemented so far show that:

- Multidisciplinary collaboration enhances the impact and sustainability of rule of law programs. For instance, an environmental assessment program in the Philippines is able to advocate more effectively for the implementation of existing environmental laws due to its partnership with the Office of the Ombudsman, local governments and universities.
- Program solutions are most workable when they are designed and implemented by local stakeholders. The inclusion and engagement of beneficiaries in a direct consultative capacity is an empowering approach that enables the beneficiaries to influence and gain control over their own needs and priorities.
- Most successful programs were those intended to bridge the gap between the laws on the books (particularly recently adopted national legislation and newly adopted international rights treaties) and the implementation and enforcement of the same laws. For instance, a labor rights program in Tanzania is working with regional offices of the Ministry of Labor, local businesses, and labor unions to develop action plans for implementing new standards for collective bargaining and occupational health and safety that were adopted with assistance from the International Labor Organization.
- Seizing opportunities for program redesign through monitoring and evaluation is critical when unforeseen barriers to program solutions arise.

Total funding for the Opportunity Fund is expected to double in the next five years, with programs resulting both from regional outreach meetings and World Justice Forums. The number of grants awarded will increase at a slower rate, allowing programs to increase in size, scope, and impact. Program areas may change based on shifting rule of law priorities identified by periodic testing of the Rule of Law Index.





# **RULE OF LAW ADVANCEMENT AT THE INTERNATIONAL, REGIONAL, AND COUNTRY LEVELS**

## **PART I: AFRICA**

Throughout Sub-Saharan Africa, the World Justice Project's Opportunity Fund supports regional, national, and community rule of law programs that strengthen gender equality, educate communities on rule of law issues, and increase accountability and transparency in government.

### **I. GENDER EQUALITY**



*Some of the participants of the African women of faith network-Uganda (AWOFNETU) training in legislative frameworks on gender-based violence*

Across Africa, the Opportunity Fund supports programs that combat societal ills affecting the most vulnerable populations due to inaccessibility of education and justice. **Gender Equality** Opportunity Fund programs are strengthening the rule of law in two main categories: combating gender violence and empowering women to claim their rights.

#### *Combating Gender Violence across the Continent*

The Opportunity Fund supports rule of law initiatives that are enabling women to stand up to gender-based violence (GBV) across the African continent.

In **East Africa**, the Opportunity Fund supports the African Conference of Religious Leaders (ACRL), the regional body of Religions for Peace, in their pursuit of a three-country program to combat gender violence through faith-based organizations. The program expands upon ACRL's previous efforts to combat gender-based violence by exploring the legislative frameworks protecting women from violence in the target countries: Kenya, Tanzania and Uganda. Trainings of faith leaders detail the legal protections, and government and legal aid resources available for victims, and empower trainees to act when members of their community are victimized.

In response to feedback received in a Kenya beneficiary focus group, ACRL has now designed and is implementing specialized paralegal training for women community members. This service, along with the educational aspects of the program, will deepen community support and access to justice mechanisms for victims of gender-based violence. As the program continues, ACRL hopes to see an increase in the reporting of rapes and abuses while also creating active community dialogue on gender-based violence and a support system for its victims.

ACRL's multidisciplinary approach to gender-based violence is helping to bridge the gap between the passage of women's rights legislation and its implementation in communities across African nations, making the rule of law and the rights it guarantees a reality for African women.



*Maria Goretti Kisaakye, the Coordinator of AWOFNETU-Uganda*

In **West Africa**, the Opportunity Fund supports Conscience International's (CI) program to combat gender-based violence (GBV) through community and youth education in the Gambia. Women in the

Gambia face particular challenges in accessing legal resources and protections when they are victims of abuse, having little knowledge of their rights or the redress mechanisms available. Recognizing both the youth<sup>1</sup> and low literacy rates of the Gambian population,<sup>2</sup> Conscience International's program is providing gender violence trainings both to young female students in secondary schools and women's community groups across the nation.

Trainings focus on providing students and community women with knowledge of their rights, mediation tools, and practical skills to respond to and report on gender-based violence. Empowered with awareness of their rights as well as legal aid, institutions, and other government and non-governmental resources available to them, participants then go on to form human rights clubs and support networks. Conscience International supports these groups not only with technical assistance and advice but also through its partnership with the Public Prosecutor's Office to provide legal consultations and aid to victims who report GBV. Like ACRL, Conscience International is building the capacity of local constituencies to seek redress for gender-based violence and appeal to appropriate authorities through advocacy, legislation and litigation.



Local school members meet for CI's launch of the pilot program to train individuals on human rights and peace.

Whether through ACRL's faith-based leaders in East Africa or Conscience International's student and community trainees in the Gambia, Opportunity Fund programs are arming African communities with grassroots, culturally relevant techniques to reduce gender-based violence and advance the rule of law. ACRL's program demonstrates the capacity of existing networks – particularly those working through Africa's churches, mosques, and temples – to target the issue of violence against women in a more effective way. Conscience International's program reveals the efficacy of pairing youth and community education with legal resources to seek redress for gender-based violence. Both programs are helping to reduce the incidences of GBV and to provide support for its victims by strengthening the WJP's Rule of Law Principle Two: "The laws are clear, publicized, stable and fair, and protect fundamental rights, including the security of persons and property."



Individuals share experiences and receive gender-based violence trainings in local human rights groups in Gambia, supported by CI.

#### Bridging the Gap: Implementing Women's Rights

In Sierra Leone, the Opportunity Fund supports programs bridging the gap between rights legislation and the availability of these rights to local communities in reality. In a nation where roughly two thirds of the population is illiterate,<sup>3</sup> public outreach and education programs on new rights legislation, in major local languages, are essential to ensuring rights are guaranteed and laws are enforced in local communities.

With the support of the Opportunity Fund, the 50/50 Group of Sierra Leone is conducting an innovative program to help women realize their rights to property, divorce, and protection from abuse, which are guaranteed by the 2007 passage of three Gender Acts. The 50/50 Group teamed with legal and language experts to translate and simplify the Acts and launched a nation-wide media campaign to disseminate the oral translations. Recognizing the influence of tribal leaders in Sierra Leonean communities, the 50/50 Group partnered with local chiefs and headmen to disseminate the laws through radio shows and community gatherings. Chiefs and headmen were further engaged in ensuring the implementation of the Acts and fair adjudication in the case of violations. With informational radio segments in all 14 districts of Sierra Leone supporting this process, the 50/50 Group was able to ensure

1. The median age in the Gambia is 17.9 years according to a 2009 estimate in the CIA World Factbook. <https://www.cia.gov/library/publications/the-world-factbook/geos/ga.html>.

2. The Gambia's total population literacy rate is 40.1%, and decreases to 32.8% according to an estimate in the CIA World Factbook. <https://www.cia.gov/library/publications/the-world-factbook/geos/ga.html>.

3. Wang, Lianqin (2007), Education in Sierra Leone: Present Challenges, Future Opportunities, World Bank Publications.

that the Gender Acts were not only understood but also supported by local communities.

This multifaceted gender equality program stepped beyond the academic exercise of translating laws, and collaborated with the media, women's groups, government officials, local chiefs and heads of informal justice systems to ensure their translations were used to benefit local communities. Initial feedback from program beneficiaries has demonstrated the efficacy of 50/50 Group's program in reaching local communities and helping groups to understand rights guaranteed by the Gender Acts. Sierra Leonean women are better empowered now to claim rights to divorce, property, and protection from abuse and find, when they do, a more knowledgeable and receptive community, with the support of tribal headmen. Continued monitoring and evaluation will reveal the full depth and breadth of this program's impact, but it is undoubtedly working to advance women's access to justice and ability to claim fundamental rights guaranteed under the rule of law.



Local community members gather to tune in to the latest information about the 2007 Gender Acts in Sierra Leone. The 50/50 Group of Sierra Leone is helping to disseminate valuable information via regular radio programs.

**Gender Equality** Opportunity Fund programs in Africa address a variety of rule of law elements, including the prohibition of discrimination based on gender,<sup>4</sup> the right to seek effective remedy to rights violations,<sup>5</sup> and protection from crimes against the person.<sup>6</sup> While the full impact of programs efforts to advance the rule of law in these areas cannot yet be determined as programs continue into early 2010, several lessons have emerged from the implementation on the ground to date:

- Multilateral collaborations between implementing organizations and stakeholders in the government, women's groups, legal institutions, and other local leaders are most successful when established at the outset of programs;
- Existing networks and authorities (i.e. tribes or faith-based groups) should be engaged and utilized to educate their constituencies on the rule of law and rights guaranteed to women;
- Trainings and education are more effective when paired with mechanisms for redress (i.e. legal aid to support access to justice and counseling services), addressing both the prevention and treatment of rights violations and gender-based violence;
- Monitoring and evaluation techniques should be designed to allow beneficiaries to provide feedback on program successes and challenges. Opportunities for program redesign should be seized, based upon such feedback.

## II. RULE OF LAW EDUCATION AND TRAINING

Educated, engaged populations are important foundations for building and strengthening rule of law societies in Africa. Generating economic prosperity, maintaining good governance practices, and developing a strong civil society to support reform are all endangered when a nation's people are not aware of their rights or how to claim them. In Africa, the Opportunity Fund supports a variety of programs in **Rule of Law Education and Training** to counteract these pernicious effects. Programs fall into two broad categories: rule of law watch initiatives and disciplinary trainings to help individuals claim newly guaranteed rights.

### Partnering with Media to Educate the Public

In **West Africa**, the Opportunity Fund supports innovative initiatives to educate the public on rule of law principles and publicize rule of



An HDI produced flyer advertising radio programs explaining the rule of law to the Nigerian public.

4. Rule of Law Index 2.0, Subfactor 7.1.

5. Rule of Law Index 2.0, Subfactor 7.6.

6. Rule of Law Index 2.0, Subfactor 8.2.

law violations. These rule of law watch programs are led by civil society and media partnerships and engage members of the press to reach out to the wider public. With increased public and media education on the rule of law and engagement in civil society, these programs are creating a counterbalance to government corruption, reinforcing the WJP's Rule of Law Principle One, "The government and its officials and agents are accountable under the law."

In Nigeria, the Opportunity Fund supports the Human Development Initiatives' (HDI) program to educate the public about the rule of law and improve individuals' capacity to hold the government accountable. With Nigeria under its first elected civilian government after decades of military rule, increased citizen engagement in and monitoring of the government are essential in advancing the rule of law.

HDI has partnered with local and national media outlets to conduct a broad public education campaign on the elements of the rule of law and its relationship to government accountability. The campaign includes: nationwide broadcasts of educational rule of law radio programs; dissemination of rule of law informational materials; and public education and advocacy training events. Radio programs have featured discussion hours, in both English and Yoruba, with government leaders and rule of law experts on topics ranging from corruption to citizen participation in the law-making process. A rule of law watch discussion forum (<http://www.hdinigeria.org/>) and blog ([www.hdinigeria.blogspot.com](http://www.hdinigeria.blogspot.com)) reinforce the above activities and expand the reach of HDI's rule of law message. Individuals who listen to a radio program, participate in an event, or read a blog post, are educated on their rights under the law and given practical steps to address rule of law violations in their daily lives.

In Sierra Leone, the Opportunity Fund supports the 50/50 Group's development of a Rule of Law Watch to educate and engage the public in a post-conflict society. The program addresses rule of law ignorance, poor access to justice, and a culture of impunity that often persists in post-conflict countries.

The 50/50 Group's Rule of Law Watch is a training of trainers program educating members of the media to spread the message of rule of law observance and government accountability. In preparation for the training of trainers, the 50/50 Group worked with a multidisciplinary group of stakeholders to develop a comprehensive rule of law training handbook, including modules on rule of law principles, rights guaranteed under Sierra Leonean law, and how to access justice. Media members were then trained on how to use the handbook and conducted 10 regional trainings to multidisciplinary groups. As influential community members, the media were uniquely equipped to talk with training participants ranging from police officers to market women. They were able to effectively communicate the importance of the rule of law and simple steps every individual can take to advance the rule of law. These trainings were reinforced through radio rule of law discussion programs and educational dramas designed by media trainees.

This multilateral rule of law watch program engages the media not only as rule of law trainees but also as doubly effective rule of law educators. Media members help to educate the wider public, beyond the step down trainings in this program, by increasing dialogue on rule of law challenges and government accountability when returning to their newspapers, magazines, and radio stations. Thus, the 50/50 Group's Rule of Law Watch broadly advances the rule of law by creating a stronger civil society.

Opportunity Fund supported *Rule of Law Watch Initiatives* in West Africa employ media partnerships to educate the public on the rule of law and increase civil society capacity to serve as advocates for rights and government accountability. These programs strengthen each of the WJP's Rule of Law Principles and various Rule of Law Index subfactors.<sup>7</sup>

#### *Protecting Marginalized Rights*

In East and West Africa, the Opportunity Fund supports programs to empower disciplinary groups to realize their rights. Whether helping workers to obtain safe working conditions, or educating local businesses on the environmental regulations that protect their communities, these programs are advancing the rule of law by translating laws from words on paper to rights and advantages that improve the



*Individuals engage in a discussion session on the importance and responsibilities of everyone in upholding the rule of law through accountability.*

7. For more information on the Rule of Law Index, please visit <http://www.worldjusticeproject.org/rule-of-law-index/>

quality of life in local communities.

In **Tanzania**, the Opportunity Fund supports the Kilimanjaro International Institute for Technology, Electronics, & Computers (KIITEC) in its program to protect the rights of farm and factory workers across Tanzania. In 2007, Tanzania passed comprehensive legislation to reform labor practices in the areas of occupational health and safety, collective bargaining, and worker's compensation. KIITEC's program aims to empower workers to claim these labor rights through comprehensive trainings, constructive dialogue with management and factory owners, and advocacy with the Ministry of Labor.

KIITEC works in partnership with legal experts and Ministry of Labor representatives to provide trainings to farm and factory owners and workers in 10 regions of Tanzania. Trainees are educated on their rights and duties under the new Labor Law and receive simplified, Swahili versions of the laws as guides. Trainees have developed action plans to improve labor relations and compliance with new labor standards in their farm or factory, and commit to implementing them with the support of KIITEC and regional Labor Offices. To date over 120 participants have been trained and have begun implementing action plans in 15 farms and 15 factories across Tanzania. Partnering with regional labor offices in Arusha and workers unions, KIITEC provides technical assistance to the farms and factories, as well as mechanisms for redress if labor standards are violated.



*Factory workers and owners develop action plans to improve labor relations and compliance with new labor standards in their factory.*

KIITEC's program advances the rule of law by ensuring that the new labor laws are comprehensible to the public and in Swahili.<sup>8</sup> The implementation of action plans at farms and factories will further strengthen the rule of law in deepening compliance with fundamental labor rights such as freedom of association and the right to collective bargaining.<sup>9</sup>

In **Madagascar**, the Opportunity Fund supports Miaro Zo's program to educate stakeholders on environmental protection guarantees in Malagasy Law and the impact of environmental degradation on public health.



*Miaro Zo's program is educating residents in Madagascar on their responsibilities to help safe-guard the environment.*

Miaro Zo's program began by completing a comprehensive study of environmental protection, especially in relation to public health, enshrined in the Malagasy law, including a codification of the categories of protection (i.e. statutes related to potable water, air pollution, sanitation, industrial pollution, etc.). This information has been used to conduct five training seminars in regions throughout Madagascar, educating local groups on which laws they can appeal to for the protection of their rights and how they can improve their own behavior towards the environment. Two of the targeted regions have significant mining and extraction factories, which have an impact on air quality. In other regions, there are industrial factories, which often use chemicals that contaminate local water sources. The trainings are specifically targeted to address these issues and involve local leaders from business, public health, and civil society organizations.

In spite of the unstable political environment, the leaders of Miaro Zo continued to implement their environmental protection program without any interruptions. Feedback from beneficiaries and program leaders reveals a strong commitment to strengthening the rule of law and environmental justice, despite its absence in the current government.

In **Nigeria**, the Opportunity Fund supports Global Manifestation Ministries to advance the rights of rural farmers and strengthen food security. As with the programs in Tanzania and Madagascar, this program works to educate and train members of marginalized groups to claim their rights.

8. Rule of Law Index 2.0, Subfactors 6.1 and 6.2.

9. Rule of Law Index 2.0, Subfactors 7.2 and 7.4.

The majority of farmers in the target region, Oke-Ogunare, are only semi-literate and unfamiliar with the existence of laws guiding agriculture. Global Manifestation Ministries' training program aims to increase rule of law knowledge among these agriculture stakeholders and help them to access legal and economic resources to increase food production. Trainees are engaged in a variety of practical learning modules to learn about their legal rights, as well as how to access funds available for agriculture through government programs.

Opportunity Fund programs *Protecting Marginalized Rights* target subfactors under the WJP's Rule of Law Principle Two: "The laws are clear, publicized, stable and fair, and protect fundamental rights, including the security of persons and property." KITEC and Miaro Zo's programs in Tanzania and Madagascar focus particularly on Rule of Law Index subfactors 6.1 and 6.2, which stipulate that laws must be comprehensible to the public and in all official languages.

Across the continent, ***Rule of Law Education and Training*** Opportunity Fund programs are advancing the rule of law by educating the public on rule of law principles, creating a stronger civil society, and providing the tools that enable multidisciplinary groups to claim their rights. These programs use a variety of techniques to engage and educate populations – ranging from broad media campaigns and radio jingles to specialized trainings with legal experts. With their broad coalitions of stakeholders, ***Rule of Law Education and Training*** initiatives demonstrate the efficacy of multidisciplinary coalitions in educational efforts.

### III. INCREASING TRANSPARENCY AND GOVERNMENT ACCOUNTABILITY

Opportunity Fund programs in Central, West, and Southern Africa are working to ***Increase Transparency and Government Accountability*** to strengthen the rule of law.

#### *Creating Accountability and Transparency*

In **Nigeria**, the Opportunity Fund supports CLEEN Foundation's program to increase accountability in informal policing groups in partnership with government authorities. Within the West African region, informal policing groups work outside, and often in conflict with, the formal justice sector. These groups are widely supported within their communities and work closely with traditional justice systems, where government public safety officials are either absent or ineffective. CLEEN's program works to bring together informal and formal police to better serve society and support the rule of law.

With support from WJP, in May 2008 CLEEN organized a Forum on Informal Policing and Human Rights in Abuja, Nigeria. It brought together informal policing groups (IPG), Nigerian police, traditional leaders, and women's rights groups to develop a Code of Conduct for informal policing. Mechanisms for collaboration between official police and informal groups were also developed. Under the Opportunity Fund, CLEEN is now training informal policing groups across Nigeria and creating buy-in for support of the new Code of Conduct. These trainings begin a formal process where members of the informal police groups make periodic reports to the formal police and community officials, working in coordination to address community needs and challenges.

CLEEN's program is building mechanisms to ensure that informal policing groups work in coordination with official forces and operate under Nigerian laws, rather than outside of them. The trainings, conduct standards, and reporting to local communities and official police create accountability for informal policing groups, reinforcing the WJP's Rule of Law Principle Two.<sup>10</sup> Informal policing groups trained by CLEEN are becoming agents to strengthen the rule of law in their communities.

In **South Africa and Zimbabwe**, the Opportunity Fund supports the World Council of Civil Engineers (WCCE) in the development of the Southern and Central Africa Multidisciplinary Rule of Law Network. The Rule of Law Network is working to connect stakeholders in Zimbabwe and South Africa and report rule of law violations through a virtual center, ensuring safety in hostile environments.

WCCE has established a virtual Rule of Law Network for collecting and publishing reports of rule of law violations and identifying best practices to resolve them. The Rule of Law Network is establishing a system of country centers to contribute reports and has established the first center in Zimbabwe to co-

---

10. The WJP's Rule of Law Index deals specifically with police accountability under Factor 4: "Military, police, prison officials, and their agents are held accountable under the law."

ordinate reporting. The web-portal (<http://www.ruleoflawnetwork.org>) was launched in June 2009, and by December 2009, the site is expected to be receiving monthly rule of law watch reports from Zimbabwe and South Africa network members. The network hopes to expand to all countries in Central and Southern Africa in the future.

WCCE's Rule of Law Network aims to increase adherence to the rule of law in the region by serving as a central hub for training, monitoring and evaluation, and reporting of rule of law violations by individuals, companies, and governments. The virtual center will allow stakeholders across the region to coordinate efforts in rule of law programming and learn from other's experiences.

In Namibia, the Opportunity Fund supports the Media Institute of Southern Africa (MISA) in their campaign for access to information rights. MISA's program is designed to combat lack of transparency and influence public opinion to advocate for freedom of information legislation.

MISA's access to information program involves targeted advocacy to legislative officials and a public education campaign to build support for legislation. Civil society workshops were held to bring stakeholder organizations into the campaign, and supported by media broadcasts and publications, text messaging forums, and dissemination of public education materials. Continued engagement with members of parliament, along with MISA's many other advocacy programs, have contributed to a heightened dialogue on freedom of information in Namibia.

Several months into the implementation of this program, the Namibian government passed a new communications bill, providing for freedom of information practices. Unfortunately, the bill provided no framework for the policy and contained a "snooping clause" allowing the state to spy on its citizens. MISA Namibia has questioned the motives of such a clause and maintained that it violates rights to privacy.<sup>11</sup> MISA continues to advocate for transparency and government accountability through freedom of information legislation and works to advance the rule of law in the face of political setbacks.

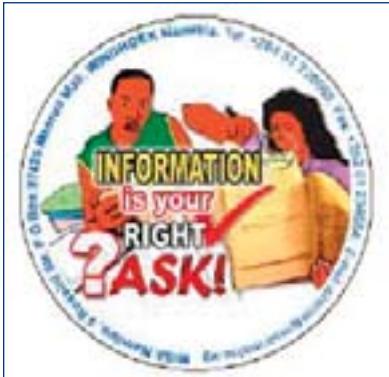
In Zambia, the Opportunity Fund supports a joint research study between the University of Washington and the United Nations Development Programme (UNDP) to examine the effects of donor aid in Africa. This program addresses two related questions:

1. How does service provision by bilateral and multilateral donors affect citizens' perceptions of their government and their willingness to comply with government laws and regulation?; and
2. How does the quality of service that is provided, specifically whether services are provided fairly, effectively, and honestly, affect compliance with government?

This program contributes to increased understanding of how the provision of services by non-state or extra-state actors affects the rule of law. Such knowledge will provide donors and governments with essential information regarding how aid affects the relationship between a government and its citizens.

Throughout Africa, Opportunity Fund supported programs are working to advance the rule of law by **Increasing Transparency and Government Accountability**. These programs target the World Justice Project's Rule of Law Principle Two: "The government and its officials and agents are accountable under the law." Though they often face challenging political environments, Opportunity Fund programs have thrived in:

- Training informal policing groups to ensure that, "Military, police, prison officials, and their agents are held accountable under the law";<sup>12</sup>
- Creating networks that serve as nongovernmental checks to the powers of government;<sup>13</sup> and
- Advocating for the government to "provide up-to-date and accurate information to the public and the media."<sup>14</sup>



Advocacy materials encouraging citizen participation in the campaign for access to information include car stickers

11. <http://www.misanamibia.org.na/>

12. Rule of Law Index 2.0, Factor 4.

13. Rule of Law Index 2.0, Factor 2.

14. Rule of Law Index 2.0, Subfactor 2.4.

#### IV. LOOKING FORWARD

The World Justice Project’s Opportunity Fund has supported a wide variety of rule of law initiatives across the African continent. **Gender Equality** programs have been particularly innovative and successful in expanding multidisciplinary collaboration for more effective programs. **Rule of Law Education and Training** programs have diverged between widespread public education programs, demonstrating the important role of media in civil society development, and specialized training programs to protect vulnerable labor and environmental rights. **Increasing Transparency and Government Accountability** programs have thrived amid challenging political environments and implemented innovative civil society and constituency-building initiatives to overcome such challenges.

All programs provide important data for future multidisciplinary initiatives in the region and inform the Opportunity Fund’s strategic development. Lessons learned from this round of seed grants include:

- Multidisciplinary collaboration in Africa enhances the impact and sustainability of programs, but must be tailored to the individual goals of each program and the political realities in which it operates.
- Programs working to bridge the gap between newly passed rights legislation and their implementation are particularly successful when they involve relevant government ministries, tribal leaders, or other informal justice authorities.

Going forward, the Opportunity Fund’s work in Africa will continue to support innovative initiatives to advance the rule of law and extend its benefits of opportunity and equity to marginalized groups.

## OPPORTUNITY FUND GRANTS IN SUB-SAHARAN AFRICA: BY PROGRAM AREA

Program Title	Organization	Country	Subregion
<b>Gender Equality</b>			
Strengthening Faith-Based Responses to Gender-Based Violence	ACRL – Religions for Peace	Kenya, Tanzania, Uganda	East Africa
Rule of Law Redress for Gender Violence Training in Schools	Conscience International (CI)	The Gambia	West Africa
Justice for Women	The 50/50 Group of Sierra Leone	Sierra Leone	West Africa
<b>Rule of Law Training and Education</b>			
Rule of Law Watch & Awareness	Human Development Initiatives (HDI)	Nigeria	West Africa
Rule of Law Watch	The 50/50 Group of Sierra Leone	Sierra Leone	West Africa
Labor Education on Occupational Health & Safety	KITEC	Tanzania	East Africa
Environment, Public Health & the Rule of Law	Miaro Zo	Madagascar	East Africa
Rule of Law and Sustenance of Food Security	Global Manifestations Ministries	Nigeria	West Africa
<b>Increasing Transparency &amp; Government Accountability</b>			
Informal Policing Systems: Capacity Building Training	CLEEN Foundation	Nigeria	West Africa
Multidisciplinary Rule of Law Network	World Council of Civil Engineers (WCCE)	Zimbabwe and South Africa	Central and Southern Africa
Lobbying & Civil Society Constituency Building for Freedom of Information Legislation	Media Institute of Southern Africa (MISA)	Namibia	Central and Southern Africa
Effects of Donor Aid on Government Compliance and the Rule of Law	University of Washington and the United Nations Development Programme (UNDP)	Zambia	Central and Southern Africa

## PART II: ASIA

In Asia, the World Justice Project's Opportunity Fund supports regional, national, and community rule of law programs that strengthen gender equality, educate local communities on rule of law issues, and promote environmental justice.

### I. GENDER EQUALITY

In Asia, the **Gender Equality** Opportunity Fund program is strengthening the rule of law by empowering women to claim their rights. Ensuring that women have equal access to land and the benefits of secure land property rights acknowledges their worth, helps break down perceptions of inequality within households and communities, and represents an investment in their welfare and economic futures.

#### *Analyzing Women's Land Property Rights in South Asia*

Under the umbrella of the Opportunity Fund, the Research Development Institute (RDI) is leading a study that examines formal and customary laws and practices governing the rights of women to inherit land in **six South Asian countries** (Afghanistan, Bangladesh, India, Nepal, Pakistan, and Sri Lanka). The study includes analysis of existing laws and their impact on inheritance rights, as well as an action plan for dissemination of the study's findings and recommendations for targeted action.

According to RDI, achieving equitable land property rights for women in developing countries requires a number of steps: establishing a legal framework which grants women property rights to land; social recognition of these rights within existing formal and informal systems, including the mechanisms and institutions necessary to obtain and exercise rights; and effective enforcement. Creating the environment in which these components can operate requires an initial assessment of the nature of the legal (formal and customary) and social environment in which women's rights to land are determined. That is exactly what this Opportunity Fund program aims to achieve.

The initiative is expanding the body of knowledge about the rights of women and girls to inherit land in the six targeted countries. It will also provide recommendations that can be applied by other organizations within and outside South Asia to improve and strengthen women's rights. In an effort to move towards identifying possible solutions, RDI focuses on identifying in-country contacts and engaging with them on the study's issues. This allows RDI to engage stakeholders and to solicit their feedback on issues related to women's property rights, and gain a realistic sense of the workable interventions in each of the six countries.

Once complete, the study will be disseminated through RDI's partners in each of the six countries, who will in turn circulate the study's findings and report back to RDI on its impact and usefulness. This program reveals that conducting research with a multidisciplinary approach including social scientists, development specialists, and rights groups, provides more depth to the overall assessment and more effective identification of practical solutions.



A homeless woman carries firewood in India. Many women do not have access to their own land and the benefits that secure property rights provide.

### II. RULE OF LAW EDUCATION AND TRAINING

Throughout Asia, the Opportunity Fund supports a variety of programs in **Rule of Law Education and Training**, ranging from increasing rights awareness and providing legal aid to developing community approaches to alternative dispute resolution.

#### *Legal Empowerment of the Poor and Marginalized*

In **India**, the Opportunity Fund is supporting the Public Health Foundation of India (PHFI) in a capacity-building initiative that works with civil society organizations, health care and social work professionals, to educate families living in slum conditions about their legal rights. The two areas of Delhi selected are home to over 17 million people.

Following a demand-driven approach, this program is effectively responding to the legal and health

needs of slum dwellers in Delhi. The program recognizes the need for these populations to know appropriate laws and rights in order to secure basic health services. The ultimate objective of this initiative is the legal empowerment of the urban poor targeted communities through two major efforts:

1. Training NGO workers on applicable laws and regulations for legal identity; and
2. Helping residents to access basic health and sanitation services with their newly established legal identity.

PHFI is working with a variety of civil society organizations to measure outcomes in terms of the legal empowerment of the poor. Based on outcome data, best practices will be disseminated throughout the Delhi metropolitan area.

By helping the poor populations of Delhi slums understand and obtain their legal rights, this program is advancing the rule of law by translating laws from words on a paper to rights and advantages that improve the quality of life in local communities,<sup>15</sup> reinforcing the WJP's Rule of Law Principles Two and Three.

In China, the Opportunity Fund supports the Yunnan University School of Law's program to provide legal services training and consultations for migrant workers, increasing rights protection and access to legal aid.

Professors and students at the Yunnan University School of Law are working with professionals in the fields of health, public administration, and agriculture, to provide migrant workers with free legal advice and training sessions about their rights under Chinese law. These include workers' right to labor contracts, salaries, leave, healthcare and social insurance. The Yunnan University team has traveled to more than 10 rural prefectures in Yunnan Province and has reached 1,217 workers to date. During these trips, the team provided training to migrant workers on their rights under the Labor Law, Labor Contract Law, Industrial Injury Law, Occupational Disease Prevention Law, and Product Safety Law. Legal leaflets on labor laws have been developed and distributed along with legal advice four times a month (twice the anticipated amount) in Kunming, and additional information and advice is available via telephone and the internet. Having exceeded initial training targets, the Yunnan University School of Law is expanding its legal aid services throughout Yunnan Province.



A worker is assisted by the Yunnan University Team in signing his labor contract.

Along with the resulting cases and news coverage, this program is on track to have a significant impact, improving the lives of migrant workers in Yunnan. The program includes a monitoring mechanism, through which problems associated with the implementation of the laws are reported to regional government agencies. Additionally, the program has received positive press coverage in local newspapers, including a favorable article in the widely circulated Kunming City News.

This program is working to increase adherence to the rule of law by targeting WJP's Rule of Law Principle Three: "The process by which the laws are enacted, administered and enforced is accessible, fair and efficient." The program focuses particularly on Rule of Law Index Factor 6,<sup>16</sup> which stipulates that the laws must be fairly and efficiently administered and enforced.

In Asia, the Opportunity Fund's **Rule of Law Education and Training** programs are demonstrating the efficacy of multidisciplinary coalitions, using a community-driven approach to engaging local constituencies based on:

- Participation, inclusion, and capacity building to advance the rule of law;
- Direct participation of local beneficiaries and community organizations in program design, implementation, and monitoring; and
- Multidisciplinary collaboration among key disciplines such as health, human rights, environment, and education.

15. Rule of Law Index 2.0, Subfactor 6.1.

16. Rule of Law Index 2.0, Factor 6.

### III. ENVIRONMENTAL JUSTICE

At the World Justice Forum in 2008, the Environment Discipline Group identified obstacles that hamper the adequate implementation of the rule of law in the environmental area. These relate to deficient education and training for officials who administer and enforce environmental laws, and lack of political will on the part of public officials to effectively implement laws, especially those that impose burdens on powerful economic interests. Underlying the need for political will is poor public understanding of environmental problems and public participation in holding government accountable to address these issues. The Forum sessions paved the way for the current Opportunity Fund **Environmental Justice** programs, which are committed to promoting community participation in decision-making in natural resource allocation, environmental justice and equity through legal and other means.



*Professor Wang Canfa – Professor Wang Canfa is a law professor at the China University of Political Science and Law, the founding director of the Center of Legal Assistance for Pollution Victims (CLAPV), and one of China's leading environmentalists. His passion for environmental protection plays itself out in his daily struggle to help ordinary Chinese citizens who have been victimized by their country's rapid economic growth and booming industrialization. Since 1999, CLAPV has fielded more than 10,000 calls and pursued over 100 cases; his group won landmark rulings in Beijing and Shandong Provinces against several large industries, whose environmental discharges have caused harm to local communities. His tireless efforts and CLAPV's numerous successes have earned Professor Wang international accolades as one of Time Magazine's Top 50 "Heroes of the Environment."*

#### *Making Environmental Justice a Reality for Pollution Victims*

Since "Reform and Opening-Up" began 30 years ago, the Chinese economy has developed at an unprecedented rate. The rapid pace of economic development has lifted hundreds of millions of people out of poverty, but it has also put a tremendous strain on the natural environment in China.

In China, the Opportunity Fund supports the Center for Legal Assistance to Pollution Victims (CLAPV) at the China University of Political Science and Law in Beijing is among the most important environmental NGOs in China today.<sup>17</sup> Opportunity Fund support is being used to update and improve CLAPV's website and database (<http://www.clapv.org/new/en/index.html>), which serves as the organization's primary contact point with domestic pollution victims, concerned citizens and the CLAPV's international partners. Through this dynamic new web forum, pollution victims and leaders from a variety of disciplines, including the sciences, business, government, law, health, engineering and civil society NGOs, will be able to connect to each another and share information that will help protect the health and environmental rights of the Chinese people.

The updated, more user-friendly website and database will be used to create a blog that allows pollution victims, lawyers and representatives of NGOs to ask questions, make connections and find information. The website will also provide extensive information regarding the legal rights of pollution victims and lessons learned from a database of past legal cases. CLAPV is also increasing the number of lawyers capable of handling pollution cases through its downloadable tutorials, blog and databases. Online forms connect pollution victims to the appropriate member of CLAPV for legal aid services. All of the professors, lawyers, and students who work at CLAPV are volunteers, including a core group of 300 lawyers



A Chinese worker is informed of his environmental rights by his supervisor.



Participants attend a CEJ legal awareness training session in Bem-mulla, Gampaha June 4<sup>th</sup>, 2009.

17. Vermont Law School Awarded Grant for U.S.-China Exchange on Environmental Law <http://www.vermontlaw.edu/x8700.xml#>

throughout China. The program is highly successful and is attracting the interest of other professionals, especially in the health area. Additionally, health officials are lending pro bono expertise to the project and assisting with the development of a full pollution-related legal database.

In Sri Lanka, the Opportunity Fund supports the Centre for Environmental Justice (CEJ) program, which seeks to enhance access to justice for marginalized groups negatively affected by resource extraction through legal aid. A collaborative program between law, science, media and education disciplines, this initiative is targeting community leaders, civil society organizations, and groups that are negatively affected by resource extraction.

CEJ lawyers and scientists are holding consultations with affected communities to identify environmental issues at the local level and redress mechanisms. Workshops are organized to provide both legal and environmental education. The program is expected to educate approximately 2,000 people directly and 10,000 indirectly through workshops and legal aid clinics. To date, the program has organized 16 legal aid clinics in rural areas where the prevalence of environmental issues is high, and introduced community residents to alternative dispute resolution options before taking legal action. Moreover, a weekly live radio program, which reaches half of the Sri Lankan population, is providing information on citizens' constitutional, environmental, and social rights.<sup>18</sup>

With the passage of new environmental laws in Sri Lanka, great efforts are necessary to increase citizens' awareness and understanding of their rights. As such, program activities have made considerable progress towards enhancing access to justice for marginalized communities affected by critical environmental issues through a series of radio programs, legal aid clinics, and the publication of a community guide to environmental rights. The radio program and legal aid clinics have been successful in mobilizing beneficiaries to enhance legal education among the marginalized groups concerning their environmental rights, as well as available mechanisms to address their environmental complaints.

Through the number of cases and complaints that CEJ receives as well as feedback from program beneficiaries via the radio programs and legal aid clinics, the CEJ is monitoring the impact of the program, and beneficiaries are exercising their rights and taking action to effectively address environmental problems.

#### *Environmental Compliance Audit of Municipal Governments*

In the Philippines, the Opportunity Fund supports the Law of Nature Foundation in implementing a pilot program to assess the extent to which municipalities in the Visayan Sea have implemented environmental statutes. The program seeks to strengthen the effectiveness and accountability of public officials responsible for environmental compliance.<sup>19</sup>

The Law of Nature Foundation partnered with the Office of the Ombudsman and a team of international volunteers to run a series of assessments in 22 municipalities surrounding the Visayan Sea. Each

CEJ Public Interest Litigation to assist people to fight for environmental justice. Following is the update on a case pending in court.

#### Unauthorised Piggery in the Kandana Area – Case No.HCWA 03/2009

CEJ filed an application seeking a Writ of Mandamus against the Central Environmental Authority, Ja-Ela Pradeshiya Sabha Chairman and the AG in the High Court requesting them to exercise their statutory powers against two illegal piggeries run in the Kandana area. As the required standards were not maintained and licenses were not obtained from the CEA and local authority the general public in the vicinity had encountered serious economic, social and environmental problems. The case was consequent to failure of the relevant Respondents to enforce their statutory powers. The court issued notice on the Respondents who are due to file objections.

18. Sri Lanka Broadcasting Corporation (SLBC) <http://www.slbc.lk/>

19. Rule of Law Index 2.0, 2.



*Staff from the Law of Nature Foundation educate local residents about the rule of law, and their responsibility to hold public officials accountable to environmental compliance.*

round of assessments targets the solid waste management and marine and fisheries statutes, as the most basic level of environmental compliance. The team is currently preparing comprehensive reports on its findings, which will be submitted to the national Office of the Ombudsman and the municipalities themselves for review. As the Office of the Ombudsman in the Philippines possesses prosecutorial powers, its participation in the program is instrumental to encouraging city governments to stop illegal fishing, protect marine resources, and segregate waste for the protection of local populations. Because of its partnership with the Office of the Ombudsman, local government units, and international legal teams, the Law of Nature Foundation is able to advocate more effectively for the implementation of existing environmental laws, illustrating the effectiveness

of multidisciplinary collaboration in enhancing the impact and sustainability of programs. The success of the program can be measured by the requests of several local governments that environmental assessments be conducted in their localities and by on-the-ground improvements in basic environmental issues, namely solid waste management and marine conservation. Recently, the Law of Nature Foundation has expanded the program to municipalities beyond the Visayan Sea, partnering with local universities, bar associations, and law students.

Across Asia, the Opportunity Fund's **Environmental Justice** programs are mobilizing local communities, empowering people to claim their rights, and increasing access justice. CLAPV's program demonstrates the capacity of online networks to address the issue of environmental rights protection for pollution victims and suggest suitable actions for them (mediation or legal action). The Center for Environmental Justice's program reveals the efficacy of pairing rural community leaders and educators with legal resources to enhance access to justice to marginalized communities affected by critical environmental concerns. The Law of Nature Foundation is able to advocate more effectively for the implementation of existing environmental laws due to its partnership with the Office of the Ombudsman and local businesses. All programs are working to promote community participation in seeking environmental justice by strengthening the WJP's Rule of Law Principle Two: "The laws are clear, publicized, stable and fair, and protect fundamental rights, including the security of persons and property," and Three: "Access to justice is provided by competent, independent, and ethical adjudicators, attorneys or representatives and judicial officers who are of sufficient number, have adequate resources, and reflect the makeup of the communities they serve."



*Illegal fishing boats in one of the municipalities assessed by the Law of Nature Foundation*

#### IV. LOOKING FORWARD

All programs provide important information for future multidisciplinary initiatives in the region and inform the Opportunity Fund's strategic development. Lessons learned from this round include:

- Multidisciplinary collaboration in Asia enhances the impact and sustainability of programs, but must be tailored to the political, social, and cultural context of each program.
- Programs working to bridge the gap between newly passed rights legislation and their implementation are particularly successful when they involve relevant government ministries, community leaders, or other informal justice authorities.

As the international community continues to struggle with issues of climate change, it becomes increasingly clear that environmental protection is impossible without the supporting framework of the rule of law. Moreover, a growing world population, especially in developing countries, will place

ever greater strains on limited resources of land and water. Effective rule of law can help to mitigate seemingly inevitable conflicts. The Opportunity Fund's ***Environmental Justice*** program is committed to strengthening local institutions and organizations that seek the enforcement of national and international environmental protection standards at the local level.

Equally important is the ***Gender Equality*** program which continues to expand the body of knowledge about the rights of women and girls to inherit land in South Asia, and to provide recommendations and action steps for policy changes to advance these rights. Finally, the ***Rule of Law Education and Trainings*** programs are demonstrating the efficacy of multidisciplinary coalitions, using a community-driven approach to engaging local constituencies.

Going forward, the Opportunity Fund in Asia plans to continue supporting innovative programs to advance the rule of law and extend its benefits of opportunity and equity to marginalized groups.

### OPPORTUNITY FUND GRANTS IN ASIA: BY PROGRAM AREA

Program Title	Organization	Country	Subregion
<b>Gender Equality</b>			
Multi-Country Study of Women's Land Property Rights	Research Development Institute (RDI)	Afghanistan, Bangladesh, India, Nepal, Pakistan, and Sri Lanka	South Asia
<b>Rule of Law Training and Education</b>			
Legal Empowerment of the Urban Poor	Public Health Foundation of India (PHFI)	India	South Asia
Legal Services – Training, Consultation & Aid for Migrant Workers in Yunnan, China	Yunnan University School of Law	China	East Asia
<b>Environmental Justice</b>			
Environmental Justice by Disclosure of Information on Environmental Rights Protection	Center for Legal Assistance to Pollution Victims (CLAPV)	China	East Asia
Environmental Law Education	Center for Environmental Justice (CEJ)	Sri Lanka	South Asia
Environmental Law Compliance Assessment	Law of Nature Foundation	The Philippines	Southeast Asia

## PART III: LATIN AMERICA AND THE CARIBBEAN

Across Latin America and the Caribbean, the Opportunity Fund supports multidisciplinary rule of law programs that educate communities on the importance of the rule of law, advocate for the rights of marginalized groups, and increase government accountability. Nine programs are being implemented in the region, with activities reaching Argentina, Brazil, Chile, Colombia, Haiti, Panama, Peru, and Trinidad and Tobago.

### I. RULE OF LAW EDUCATION AND TRAINING

Education is an essential premise for thriving, equitable rule of law communities. The Opportunity Fund supports programs that are training the next generation of community leaders and educating legal officials to extend access to justice.

#### *Teaching Urban Students about the Rule of Law*

In Argentina, the Opportunity Fund supports Foro de Estudios sobre la Administración de Justicia's (FORES) in its program to teach urban students about the rule of law and civic participation. Recognizing that sound rule of law institutions can only be achieved through well-informed and committed citizens, FORES is working to educate the next generation of civic leaders.

The FORES program ([www.foresjusticia.org.ar](http://www.foresjusticia.org.ar)) seeks to incorporate the rule of law, including human rights and civic responsibility, into the curriculums of elementary and secondary schools. The program is aimed at providing tools to children and young people to prepare them to better protect and exercise their rights, and to become active members in their communities.

FORES developed their education strategy in consultation with political scientists, educators, and legal experts in Argentina. Through this collaborative process, they have created and disseminated two different sets of brochures, 20,000 in total, and rule of law curriculums: one for 10-11 year olds, and another for 16-17 year olds.

FORES is targeting 25 low and middle income schools in the Buenos Aires region for the program. Teachers from each school have attended training sessions to learn how to use the rule of law materials. FORES has trained 60 teachers and continues to provide guidance and technical assistance as the curriculum is implemented in target schools. In addition to producing targeted, comprehensible literature and in-class teaching, FORES is negotiating a partnership with the Canadian Judges Association to secure an interactive software package to further the accessibility of the material to young people.

The approach that FORES is undertaking is synonymous with the WJP's Rule of Law Principles. In future efforts to expand the program to other regions of Argentina and neighboring countries, FORES will be instrumental in creating new champions of the rule of law among disadvantaged communities.<sup>20</sup>

#### *Bringing Businesses into the Rule of Law*

In Peru, the Opportunity Fund is supporting Ciudadanos al Día (CAD) to develop a Corporate Pledge encouraging Peruvian companies' in house counsel to sign a rule of law pledge and requires outside counsel to comply with and uphold high ethical standards in the practice of law.

While membership in a local bar association is required of lawyers in Peru, there are no mechanisms for bar associations to enforce adherence to the Code of Ethics and Professional Responsibility for Lawyers. Moreover, neither the government nor law firms require any continuing legal education related to ethics or other topics. A joint CAD, Vance Center, and Catholic University of Peru survey of top Peruvian corporate lawyers revealed just how ethically lawyers view themselves: 74% of respondents felt that no more than four out of ten Peruvian lawyers actually comply with high ethical and professional



FORES trained teachers educate students from middle and low income schools about civic responsibility and human rights.



Two curriculums have been created to teach students, one for 10-11 year olds and one for 16-17 year olds.

20. The FORES program addresses Rule of Law factors 6, 7, 10, and 11.

standards.

The CAD program is stimulating demand for higher ethical standards in the legal profession by developing a Corporate Pledge for businesses. Because the recently revised Code of Ethics is not legally mandated, CAD is encouraging multinational corporations in Peru to demand compliance with the Code through market forces. By gaining the support of large businesses to sign a corporate pledge to enforce the Code, CAD is helping to ensure businesses have access to quality legal representation. Compliance is expected to radiate outwards from companies' general counsel to law firms retained by businesses across Lima.

CAD has already conducted more than twenty working meetings to include the input of a wide array of stakeholders in the drafting of the Corporate Pledge as well as to raise awareness of its efforts and gain broader support. While increasing demand for higher standards within the legal profession, CAD is simultaneously developing a self-regulated enforcement mechanism to ensure that businesses that sign the Pledge are truly committed. Key to both of these components is expanding continuing legal education programs in Peru, which help to reinforce legal ethics from law school throughout a lawyer's practicing career.

Through enhancing the ethical and professional standards of lawyers in Peru, the CAD Corporate Pledge program is working to advance the WJP's Rule of Law Principle Four, which stipulates that access to justice is provided by competent, independent, and ethical attorneys.

#### *Educating the Judiciary to Increase Access to Justice*

In Brazil, the Opportunity Fund supports a joint Brazil-United States initiative to provide sustained continuing education for officials of the courts. The program is headed by the Ministério Pùblico of the state of Paraná, Brazil, the Center for Governmental Responsibility and the Law and Policy in the Americas Program of the University of Florida. This two-year program is dedicated to sustaining judiciary reforms in Brazil through the establishment of a permanent, flexible and continuing education program in comparative law for officers of the court, including judges, prosecutors, public defenders, and law enforcement officers.



*The Brazilian group heard presentations from Lee Bentley, First Assistant U.S. Attorney (and Acting U.S. Attorney), seated center, and Frank Hall, Chief Administrative Officer, U.S. Attorney's Office, Tampa, Florida.*

Federal Legal Education School (ENFAM) approved new continuing education requirements for Brazilian judges before entering the courtroom. The training requirement must be multidisciplinary and affiliated with a foreign institution. This highlights the growing recognition of the importance of multidisciplinary collaboration in strengthening the rule of law, and will fuel interest in this program.

The University of their diverse communities, enabling them to better serve local needs. This program has shown that it is flexible, and is being used as a model for other locations within Brazil, as well as for other Latin American countries.

Throughout the region, **Rule of Law Education and Training** Opportunity Fund programs are strengthening the rule of law by educating young people on governance and civic responsibility, strengthening civil society, and training officers of the court to improve access to justice. These programs vary significantly from those in other regions and reveal the breadth and innovativeness of Opportunity Fund supported

A multidisciplinary, Brazilian-American advisory board worked together to create a curriculum for educational seminars to train Brazilian officers of the court. The curriculum developed addresses issues including: judicial independence, ethics, and accountability; changing court systems; human rights law; gender issues; and access to justice. Advisory board members worked with program implementers to adapt the curriculum and meet the needs of the court and the Brazilian communities they serve. Trainings based on these curriculums are now beginning.

The program was bolstered when the Brazilian



*The Brazilian group and University of Florida organizers posed at the UF Levin College of Law. Project co-director Saint Clair Honorato Santos, Senior Prosecutor, Paraná, is pictured third from the left in the front row.*

efforts. While other rule of law organizations provide training to judges and students, those under the Opportunity Fund are strengthened by their multidisciplinary collaborations.

## II. RIGHTS FOR MARGINALIZED GROUPS

Ensuring that marginalized groups understand their rights and have the ability and know-how to access them are essential to building communities of equity. Opportunity Fund programs that advance the rule of law by protecting **Rights for Marginalized Groups** focus on protecting the rights of women, promoting environmental protection in delicate ecosystems, and ensuring land rights of farmers.

### *Protecting the Environment and Indigenous Communities*

In **Peru**, the Opportunity Fund supports Sociedad Peruana de Derecho Ambiental's (SPDA) program to combat environmental degradation and its pernicious effects on Peru's indigenous population. Establishing an educated, and accurate media network has been the central tool of SPDA's campaign to stimulate civil society action and advocacy to uphold environmental laws, thereby strengthening the rule of law.

SPDA created the first central source of environmental news and commentary in its Actualidad Ambiental website, [www.actualidadambiental.pe](http://www.actualidadambiental.pe). Actualidad Ambiental has a group of multidisciplinary contributors, including environmental lawyers, nonprofit organizations, and journalists and works with local and regional media to raise the profile of environmental issues in Peru. SPDA also works closely with the Interethnic Association for the Development of the Amazon (AIDESEP) to ensure that the environmental concerns of indigenous communities are represented. Through SPDA's multidisciplinary collaborations, Actualidad Ambiental is providing the knowledge and skills Peruvian stakeholders will need to advocate for the protection of the environment and the rights of indigenous peoples.

The information network that SPDA developed educates members of civil society to act and hold accountable businesses, government authorities, and others who violate environmental and rights laws. SPDA's Actualidad Ambiental has created a nongovernmental form of checks and balances that help to strengthen adherence to the rule of law in Peru.



SPDA's web resource, *Actualidad Ambiental*, provided critical updates on the AH1N1 infection of the indigenous Machiguenga in Peru.

### *Winning Land Rights for Rural Farmers*

In **Haiti**, the Opportunity Fund supports Winston & Strawn LLP & Zanmi Lasanté Paris' program to establish certifiable land rights for peasant farmers in the Central Plateau. Working with a micro-finance program to provide agricultural technology to these farmers, Zanmi Lasanté's program aims to provide the legal assurance needed for poor farmers to continue to invest in their land and to improve the stability of their businesses long term.

The program began by determining how to register and certify land holding rights, particularly for community land holdings, under Haitian law and custom. After procedures were identified, Zanmi Lasanté began working with 24 families to survey and map their property as a means of recording their land ownership status and beginning the registration process with the Haitian government. After registering the initially targeted families, Zanmi Lasanté hopes to continue its analysis of farmers' land tenancies and develop flexible mechanisms to register or certify their individual or community holdings.

### *Helping Victims of Domestic Abuse*

In **Panama**, the Opportunity Fund supports the Inter-American Bar Association's (IABA) program to establish non-profit centers for domestic violence victims in Latin America. Through these centers, victims will receive the assistance they need to rebuild their lives and claim rights of which they have been deprived.

The IABA's pilot center in Panama will provide legal aid, job and skills trainings, and counseling to victims of domestic abuse. The center employs pro bono educators, lawyers and therapists who work together to assist women who come to them. With a comprehensive, multidisciplinary approach, victims are provided with the tools to claim their rights, access justice, and begin their lives anew. Job and skills trainings provide victims with the economic means to become financially independent from their

abuser. In partnership with local organizations, the IABA has also developed outreach materials to educate the wider community on the risks of domestic abuse and the rights of the abused. The center is expected to open later this year.

The IABA's domestic violence program will strengthen the rule of law by increasing access to justice and ensuring that fundamental rights are protected. This high impact, adaptable program will continue through early next year and hopes to launch similar centers throughout Latin America in the future.<sup>21</sup>

#### *Securing Women's Health Rights through Access to Information*

In Argentina, Chile and Peru, the Opportunity Fund supports Fundacion Pro Acceso in its efforts to strengthen the rule of law by securing women's health rights through access to information.

The research and public advocacy program is studying the current state of access to information for women's health rights and working with partner organizations across the region to identify best practices on effective access to information. Fundacion Pro Acceso has developed a thorough methodology and model report, identified the vulnerable groups to address in each nation, and completed research. Initial findings were presented for feedback at a roundtable event in Chile, with representatives from partner organizations Instituto de Prensa y Sociedad (IPYS) and Asociacion por los Derechos Civiles (ADC), other civil society institutes, and government officers.

The report assesses the legal framework for accessing information in each country, including case law and the circumstances of denying access to information. The report then examines the current state of available information on women's health rights, including an assessment of the type and quality of information available, and analyzes the challenges to accessing further information. With barriers to access to information identified, Fundacion Pro Acceso is advocating for reform in Argentina, Chile, and Peru. Due in part to Fundacion Pro Acceso's work, Chile has recently passed reformed freedom of information legislation. Through dissemination and outreach, the program hopes to educate stakeholders and provide a tool for more effective advocacy.

With these mechanisms, Fundacion Pro Acceso is advancing the rule of law by ensuring that the powers of the government are limited by nongovernmental checks;<sup>22</sup> up-to-date and accurate information is supplied to the public;<sup>23</sup> and fundamental health rights are protected for women. The accessibility and transparency of health related information is crucial to civil society's participation in government and the development of beneficial women's health policies.

### III. INCREASING TRANSPARENCY AND GOVERNMENT ACCOUNTABILITY

In Latin America and the Caribbean, several factors in the region give rise to corruption and lack of government accountability. Through its *Increasing Transparency and Government Accountability* programs, the Opportunity Fund supports initiatives that identify and target these factors. Whether in building stronger civil society or providing the tools to combat corruption, Opportunity Fund programs are working to increase government accountability and transparency.

#### *Fighting Corruption through Multidisciplinary Collaborations*



Ximena Salazar, from Transparency International, presenting TI's study at the Civil Society Forum prior to the V Summit of the Americas

In Trinidad & Tobago, the Opportunity Fund supports Transparency International's (TI) program to evaluate the implementation of anti-corruption and transparency commitments made at Summits of the Americas. With such an assessment, TI hopes to encourage the realization of these commitments for increased government accountability and transparency throughout the Americas.

TI has conducted surveys through its National Chapters in the Americas and produced a regional report documenting both successes and failures in anti-corruption reforms. TI presented its findings before the Summit of the Americas and at the corresponding Civil Society Summit in April 2009.

Serious gaps were found in the follow-up of anti-corruption commitments. Coordination among national and regional authorities

21. The Inter-American Bar Association program addresses Rule of Law Index Factors 6, 7, 8, and 10.

22. Rule of Law Index 2.0, Factor 2.

23. Rule of Law Index 2.0, Subfactor 2.4.

and between authorities responsible for Summit mandate commitments and the implementation of the Inter-American Convention against Corruption, was found to be particularly lacking. States do not report sufficiently on actions taken and are given little direction by the Organization of American States on how to do so. Monitoring anti-corruption progress makes for a daunting task under these circumstances. TI also noted the lack of integration of civil society participation in implementation reviews.

Through its report and continued coordination with the Organization American States, TI's National Chapters, civil society organizations, government officials and the general public are becoming aware of insufficient implementation of transparency and anti-corruption commitments. They will be able, on one hand, to use this information to advocate for real reform and, on the other hand, to highlight the importance of real implementation of Summit of the Americas commitments.

In Colombia, the Opportunity Fund supports the Universidad del Rosario in its program to strengthen civil society and build "citizen monitoring" to defend human rights and the rule of law.

The Universidad del Rosario believes the weakness of civil society and its inability to serve as a check on the government power is an obstacle to access to justice, government accountability and defense of human rights. Furthermore, they assert that the lack of dialogue across disciplines has prevented effective reform. To combat these issues, Universidad del Rosario's program is facilitating a multidisciplinary dialogue among lawyers, political scientists and public administration professionals to explore the consequences and strengths of citizen monitoring to advance the rule of law. Through this dialogue, program advisors have developed a curriculum to teach individuals on the role of citizen monitoring and the rule of law.

The curriculum is now being piloted in trainings for Bogota's Santa Fe district. Trainings are taking place in public schools and target students between ages 13-16, teachers, and parents.

This program advances the WJP's Rule of Law Principle One by using a multidisciplinary committee to develop material in which to educate individuals on their roles and responsibilities in strengthening the rule of law. The multidisciplinary approach by the Universidad del Rosario in Colombia is adaptable to fighting corruption in other Latin American contexts.



Students, teachers and parents are trained in the Universidad del Rosario's 'citizen monitoring' curriculum.

#### IV. LOOKING FORWARD

The World Justice Project's Opportunity Fund has supported a breadth of rule of law programs across Latin America and the Caribbean. **Rule of Law Education and Training** programs have targeted both capacity building of existing court officials as well as education programs for the youth that will comprise the next generation of civic leaders. **Rights for Marginalized Groups** programs have been successful in improving the rights of a broad cross-section of marginalized populations, and **Increasing Transparency Government Accountability** programs have used innovative multidisciplinary partnerships to strengthen the rule of law.

Opportunity Fund programs in Latin America and the Caribbean provide important lessons for future multidisciplinary projects in the region and inform the World Justice Project's strategic development of the Opportunity Fund. Lessons learned from this round of seed grants include:

- Multidisciplinary partnerships increase the variety of stakeholders which are necessary in improving the rule of law and enhance project impact.
- Education and training programs led by local stakeholders are an essential component of efforts to advance the rule of law.

Going forward, the Opportunity Fund in Latin America and the Caribbean plans to continue supporting innovative initiatives to advance the rule of law and extend its benefits of opportunity and equity to marginalized groups.

## OPPORTUNITY FUND PROGRAMS IN LATIN AMERICA AND THE CARIBBEAN: BY PROGRAM AREA

Program Title	Organization	Country	Subregion
<b>Rule of Law Training and Education</b>			
Growing Up with the Rule of Law	Foro de Estudios sobre la Administración de Justicia (FORES)	Argentina	South America
Rule of Law Pledge for Businesses	Ciudadanos al Día (CAD)	Peru	South America
Continuing Education in Comparative Law	Ministério Público of the state of Paraná, Brazil, the Center for Governmental Responsibility and the Law and Policy in the Americas Program of the University of Florida	Brazil and USA	South America
<b>Rights for Marginalized Groups</b>			
Peruvian Agency of Environmental Information	Sociedad Peruana de Derecho Ambiental (SPDA)	Peru	South America
Land Rights for Farmers	Zanmi Lasanté – Paris	Haiti	Caribbean
Domestic Violence Centers for Women	Inter-American Bar Association	Panama	Central America
Access to Information and Women's Health Rights	Fundacion Pro Acceso	Argentina, Chile and Peru	South America
<b>Increasing Transparency &amp; Government Accountability</b>			
Corruption Report of the Americas	Transparency International (TI)	Trinidad & Tobago	Caribbean
Control Social: Citizen Monitoring for Human Rights	Universidad del Rosario	Colombia	South America

## PART IV: MIDDLE EAST AND NORTH AFRICA

In the Middle East and North Africa (MENA) region, the Opportunity Fund supports multidisciplinary rule of law programs working to promote access to information for women and increase transparency and government accountability. Two programs are being implemented in Lebanon and Tunisia.

### I. GENDER EQUALITY

Protecting the rights of women and empowering them to be active community leaders is key to fostering robust rule of law in MENA. In the UNDP Arab Human Development Reports,<sup>24</sup> gender inequality was identified as one of the main obstacles to development in the region. In many MENA countries, when women are in fact placed on equal footing with men, many are unaware of their rights or the services available because of a lack of information.

#### *Securing Women’s Health Rights through Access to Information*

In Lebanon, the Opportunity Fund works with the Partnership Center for Development and Democracy (PCDD) to strengthen the rule of law by securing women’s health rights through access to information. Through community leaders’ surveys, case studies, and field investigations, the program analyzes the legal framework for access to information and examines the current state of available information on women’s health rights in the country, including an assessment of the type of information available as well as its quality. The program also consists of a report that addresses the challenges to access to information and presents best practices that may be appropriate for emulation in other countries.

Lebanon is a signatory to several international conventions that guarantee free access to information. Yet the legislature has not promulgated any provisions nor established any of the processes necessary to implement these freedom of information laws. As a result, marginalized groups across the country—and especially women—are hamstrung by their lack of access to information, particularly in regard to health services, treatment options and the relative merits of various medical procedures and therapies.

By bringing together experts from the fields of law, public health, and human rights, this Opportunity Fund program is building a broad law-based approach to health and women’s rights that falls under the WJP’s Rule of Law Principle One: “The laws are clear, publicized, stable and fair, and protect fundamental rights, including the security of persons and property.” Networking and engaging with these multidisciplinary stakeholders is creating bottom-up momentum for change while simultaneously fusing several perspectives into the comprehensive final recommendation report. Once available, the report will be presented to the Lebanese Parliamentary Administration and Justice Committee and copies of the report recommendations distributed to Cabinet members, members of Parliament, civil society organizations, and women’s rights NGOs.

In particular, this program has successfully made close connections within the medical community at a critical time when the Ministry of Health is reforming its structure. Recently, the Mother and Child Division of the Ministry, the department in charge of gender-specific health issues, has shown interest in using the findings and recommendations of PCDD’s research as a basis for reforms. High-ranking officials in the department’s research group have also contributed suggestions to the program and offered problem-solving evaluations. This high-level engagement with the medical community is improving the recommendations in the final report and injecting women’s lack of access to medical information into the discussions at the Ministry of Health regarding its plan to restructuring. With the current changes in the Lebanese government, the program team is continuing to work closely with the Lebanese parliamentary Administration and Justice Committee to ensure that the final report and recommendations are produced on time. The recommendations to the parliament can serve as a template for civil society leaders in other countries throughout the region who are trying to overcome similar problems, propose legal and administrative solutions, and start the process of amending the laws in order to improve women’s access to health care information.

### II. INCREASING TRANSPARENCY AND GOVERNMENT ACCOUNTABILITY

Whether in building stronger civil society or providing the tools to combat corruption, Opportunity Fund programs are working to increase government accountability and transparency. In the Middle East and North Africa region, two factors are equally relevant: the need for public education and the need

---

24. UNDP Arab Human Development Reports 2002-2005. <http://arabstates.undp.org/subpage.php?spid=14>.

for strengthening the institutional structure for the containment of this blight. Anti-corruption education is an integral part of strengthening the institutional framework to prevent corrupt practices and promote transparency and accountability according to WJP's Rule of Law Principles.

#### *A Multidisciplinary Approach to Fighting Corruption in Infrastructure & Engineering*

Infrastructure is cited as one of the most corrupt industries worldwide.<sup>25</sup> In Tunisia, the Opportunity Fund supports a regional initiative spearheaded by the World Federation of Engineering Organizations (WFEO) to fight corruption in infrastructure industries in coordination with the Global Anti-Corruption and Training Project, Global Infrastructure Anti-Corruption Center, the International Federation of Consulting Engineers and the American Society of Civil Engineers. The program, originating as an action plan at the 2008 World Justice Forum, aims to build engineers' awareness of anti-corruption practices and their relationship with the rule of law and educate them as to how to prevent the occurrence of corruption in their field.

The Opportunity Fund program was carried out successfully through the development of a "Train-the-Trainers" workshop in Tunisia, with approximately 30 participants from the region, including heads of national engineering associations, university professors in civil, chemical, and water engineering, as well as senior procurement and human resource specialists. The program seeks to form a number of facilitators to disseminate the training materials through face-to-face training courses, seminars and meetings to benefit a larger number of engineering societies as well as business corporations and government agencies in their home countries. Each engineering society represented in the train-the-trainer program committed beforehand to implement a number of training programs over a period of at least five years to train its members. The program will reach an estimated 1,000 engineers per country over a 5-year period.

The program also assists engineering societies to implement a Project Anti-Corruption System (PACS) in their own countries. PACS is an integrated and comprehensive system specifically designed to assist in the prevention of corruption on construction projects. It uses a variety of measures, which impact all project phases, on all major participants, and at a number of contractual levels. The implementation of PACS requires the development of legal frameworks to integrate such a system, including independent monitoring mechanisms at the project level. The final component of the program is well underway and consists of the creation of an Anti-Corruption Resource Platform (ACRP) through WFEO's website to provide free access to information, advice and tools designed to help engineers prevent and identify corruption in the infrastructure, construction, and engineering sectors. ACRP will provide engineering societies and individuals with: best practices and successful experiences (case studies) in fighting corruption; free training materials; and an online forum for engineers to share views and post questions.

Following WJP's premise that multidisciplinary collaboration is the most effective way to advance the rule of law, WFEO participants agreed that "corruption on construction projects can only be eliminated if all contributors in construction projects co-operate in the development and implementation of effective anti-corruption actions with other relevant disciplines." Upon completion of the training program, a high number of participants realized that they could play a crucial role in denouncing and preventing corruption because they are well-placed to detect corrupt practices in construction whether they occur in the design phase, construction, or in maintenance. This Opportunity Fund program empowered them with the tools to exert pressure on government to reform the legal framework to prevent corrupt behavior with efficient mechanisms of accountability and punishment against proven breaches, thus reinforcing WJP's Rule of Law Principle One.<sup>26</sup>

As early as June 2009, WFEO participants developed their own local training in partnership with national engineering societies and in conjunction with other NGOs, business associations, and universities to engage in concrete actions to fight corruption. Despite challenges such as institutional bureaucracy, adverse political attitudes, vested interests, and lack of funding to implement training programs in their respective countries, the WFEO participants are actively contributing to the emergence of a new culture



*Attendees from a variety of disciplines were trained in combating corruption by the WFEO in their Train-the-Trainers program]*

25. Kenny, Charles. Construction, Corruption, and Developing Countries. World Bank Policy Research Working Paper No. 4271.

26. The Rule of Law Index deals specifically with government accountability under Factor 3, "The government officials and agents are held accountable under the law."

among individual engineers in the region. They serve as catalysts which encourage and support ethical behavior and compliance with law; the identification and dissemination of best ethical and compliance practices within engineering societies and construction industry; and ultimately, the building of a rule of law society with a multidisciplinary approach.

### III. LOOKING FORWARD

The two WJP-initiated programs in the MENA demonstrate the connection between the rule of law and various disciplines and provide important data for future strategic development of multidisciplinary initiatives in the region. Lessons learned from this round of seed grants include:

- Education and training programs on the rule of law are more successful when applying a multidisciplinary approach. Together, these disciplines have greater resources and influence in bringing about real change.
- Successive rounds of the Opportunity Fund may be essential to institutionalize changes and ensure sustainability of programs.

Going forward, the Opportunity Fund in MENA plans to continue supporting innovative initiatives to advance the rule of law and extend its benefits of opportunity and equity to more countries.

#### OPPORTUNITY FUND PROGRAMS IN THE MIDDLE EAST AND NORTH AFRICA REGION: BY PROGRAM AREA

Program Title	Organization	Country	Subregion
Gender Equality			
Women's Access to Health Rights and Information	Partnership Center for Development and Democracy (PCDD)	Lebanon	Middle East
Increasing Transparency & Government Accountability			
Training of Trainers – Anticorruption in Construction	World Federation of Engineering Organizations (WFEO)	Tunisia and throughout MENA region	North Africa

## PART V: NORTH AMERICA

In North America, the WJP Opportunity Fund supports initiatives focusing on: the health rights of detainees and the role of health professionals and medical associations in preventing detainee abuse; and the labor standards and role of trade unions in promoting human rights and public awareness.

### I. ENSURING RESPECT FOR THE RULE OF LAW IN DETENTION FACILITIES

There was consensus among the North America discussion group at the 2008 Vienna Forum that a public forum for continued discussion on Guantanamo Bay and related rule of law issues would be beneficial. The issues arising in Guantanamo Bay and other detention facilities are indeed broad and encompass how governments deal with anti-terrorism legislation while respecting international human rights and the rule of law. This program is led by the belief that there is a strong need to shift the debate from an indexing of harms of military detention facilities to a forward-looking analysis that addresses how future state, and non-state actors can ensure that these facilities are respectful of human rights, compliant with international law conventions, and consistent with international customary practices. Health professionals, specifically, serve on the front lines of detainee care and are often in the best position to identify circumstances of detainee abuse. Given the role of health professionals as front line actors, this program decided to focus on the health rights of detainees and the role of health professionals and medical associations in preventing detainee abuse.

This Forum working group of experts, from a spectrum of disciplines namely, military, legal and health, recently produced a report dedicated to ensuring respect for the rule of law in detention facilities. The report, coordinated by the University of Toronto, uses as its basis recommendations from Physicians for Human Rights (PHR), a leading nongovernmental organization with significant experience in the areas of prisoner health. PHR wrote a letter to then President-elect Obama in December of 2008, asking the Obama administration to take six key steps to help enhance the integrity of military medicine and psychology.<sup>27</sup> The report analyzes those six steps in accordance with international law and medical ethics and makes concrete recommendations to states who seek to improve their compliance with the rule of law in the area of detainee care, within the supporting framework of international human rights law.

Professional health associations and international bodies have developed several instruments guiding the behavior of health professionals working in detention centers. Instruments such as the Declaration of Tokyo, the Declaration of Malta, and the Standard Minimum Rules for the Treatment of Prisoners are consistent with international human rights law and the law of armed conflict, and can provide valuable recommendations to the state and state agents on the standard of health care in detention facilities. The report calls on the United States and other governments to restore respect for both medical ethics and for the rule of law, and specifically to:

1. Restore clinical autonomy.
2. End the participation of health professionals in interrogation.
3. Reform the protocols for hunger strikes to respect patient autonomy.
4. Prohibit the involuntary administration of medications.
5. Establish an advisory body on medical ethics in detention settings.
6. Investigate and ensure accountability for medical misconduct.

Using the recommendations made by Physicians for Human Rights as a starting point, the report thoroughly examines the international legal and ethical support for those recommendations, and can serve as a blue print for states, professional associations, and healthcare professionals to help mobilize health care professionals to support state compliance with the rule of law, as well as generate discussion and action within the health, military, and political arenas

### II. LABOR AND THE RULE OF LAW

Effective rule of law is essential to ensuring that employers adhere to national and international labor standards. Through an Opportunity Fund program that connects the fields of business, human rights, labor, and law, the **American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)** is mainstreaming rule of law training and education for employees and employers to ensure that all par-

27. Physicians for Human Rights, Letter from John C. Bradshaw to President-elect Obama (December 5, 2008), available at: <http://physiciansforhumanrights.org/library/letter-2008-12-16.html>.

ties are aware of and have access to their rights.

The AFL-CIO has already been enormously helpful in refining the Rule of Law Index, a tool created by the World Justice Project to measure countries' adherence to the rule of law.<sup>28</sup> Using the multidisciplinary partnerships developed at the World Justice Forum in July 2008 as a starting point, the AFL-CIO incorporated research on international labor law with feedback from a multitude of stakeholders to ensure that the most important aspects of labor issues are addressed by the Rule of Law Index. The AFL-CIO's input on the development of the Rule of Law Index 2.0 will have a lasting impact on the Index's efficacy in discerning gaps in countries' respect for international labor standards and this, in turn, will enable the WJP to best target its Opportunity Fund programs.

The AFL-CIO is also in the process of identifying the three most important rule of law issues confronting the labor and employer communities. Findings, based on a study of existing reports and surveys, will serve as the basis for an education campaign which builds capacity in trade union and employer organizations to better understand and use the rule of law to raise awareness among members and in public advocacy. The educational materials and training modules will be broadly adaptable across an array of countries which vary in their effectiveness in following international labor norms.

This Opportunity Fund-supported program is helping to ensure that employers and employees are aware of both the legal framework that protects their rights and the means by which to ensure these rights are protected.

---

28. For more information on the Rule of Law Index, please visit <http://www.worldjusticeproject.org/rule-of-law-index/>.

## PART VI: INTERNATIONAL

After the inaugural World Justice Forum in 2008, there was a strong consensus among the stakeholders of various disciplines from around the world that multidisciplinary collaboration is imperative to strengthening the rule of law. At the Forum, participants identified opportunities for cross-disciplinary collaboration to address specific rule of law issues, at the international level. However, what was missing was a mechanism for encouraging participants from different countries to translate creative ideas into concrete action. As such, the Opportunity Fund encouraged and facilitated participants initiating a number of programs international in scope.

### I. THE RULE OF LAW AND PEACE THROUGH MUSIC

The Opportunity Fund supports the Internet Bar Organization's (IBO) PeaceTones Initiative to help musicians from conflict zones to digitally market their songs, create economic ties across borders, and promote peace in conflict and post-conflict nations around the world.

The IBO is connecting artists in conflict areas to in-country lawyers and providing training in protecting their intellectual property interests in contract negotiation, online dispute resolution, and building a culture of respect for the rule of law. With their training complete, artists negotiate a contract with the IBO, which then compiles the content into PeaceTones albums, with the assistance of American graphic design and music students. The albums are being made available for purchase on Amazon and iTunes; the proceeds are sent directly to the artists with the stipulation that a certain percentage is reinvested within the artists' community. Thus, the PeaceTones Initiative provides a voice for artists in war-torn communities and economic benefits to musicians and their communities.

The PeaceTones Initiative helps to strengthen two of the WJP's Rule of Law Principles, ensuring that laws are clear, publicized, and protect fundamental rights and that the legal process is accessible to all individuals. By providing artists with an understanding of intellectual property rights and pro bono legal counsel to create and negotiate binding contracts, the IBO is contributing measurable advancement to the rule of law across the world.<sup>29</sup>

Through third-party donations and supporters, the PeaceTones Initiative is a sustainable effort and has already expanded beyond its initial scope to include Ghana and the Dominican Republic. Thus far, two albums have been released and are available online: PeaceTones Sierra Leone and PeaceTones Brazil. The PeaceTones Initiative is also at various stages of implementation in Afghanistan, Haiti, Northern Ireland, and the West Bank. More information about the project is available at <http://peacetones.org/>.



*The PeaceTones Initiative's first album, PeaceTones Sierra Leone.*

### II. THE WORLD JUSTICE MAP

The accessibility and free exchange of information is essential for advancing the rule of law and global justice. With support from the Opportunity Fund, the African Conservation Foundation is developing an innovative World Justice Map, a global, multidisciplinary, online information sharing platform to support rule of law initiatives and action plans around the world.

Through the map-based system, Opportunity Fund grantees, World Justice Project partners, and other rule of law stakeholders can publicize, by discipline, their programs and exchange information on best practices and lessons learned from their program implementation experiences. While all of this data is relatively accessible, it rarely appears in one place, let alone on an interactive map-based platform. Users of the World Justice Map can sort programs by organization, status (active or completed), activity type, and professional discipline. In addition, the World Justice Map will include data from a variety of sources, from Transparency International's Corruption Perceptions Index to UNDP's Gender Empowerment Measure and Freedom House's Press Freedom rankings. Once complete, the WJP's Rule of Law Index Version 2.0 will be presented via the World Justice Map.

29. The PeaceTones Initiative addresses Rule of Law Index Factors 6, 9, 10, 14.

As an information-sharing tool, the World Justice Map strengthens organizations' capacity for advancing the rule of law and creates a medium for partnership development and public participation that promotes communication, collaboration, timely action and analysis. The World Justice Map helps to maximize the impact of local, national, regional, and international rule of law initiatives and enhances the efficiency of existing and future efforts.

Through Google Maps as the client user interface, this interactive map provides access to information on the rule of law worldwide and allows for the creation of a multi-regional, cross-disciplinary support network for rule of law initiatives and programs. The World Justice Map is available at [www.worldjusticemap.org](http://www.worldjusticemap.org).

### III. "CHAMPIONS" OF PUBLIC HEALTH AND THE RULE OF LAW

At the 12<sup>th</sup> World Congress on Public Health held in Istanbul, Turkey in April 2009, there was more on the agenda than simply public health. In collaboration with the Opportunity Fund, the **World Federation of Public Health Associations (WFPHA)** developed a comprehensive module on the importance of the rule of law to public health students and professionals, which was presented to many of the Congress' 2,500 participants.

Since the World Congress on Public Health, the WFPHA has identified over sixty "champions" from among workshop participants to bring back rule of law lessons learned to public health professionals in their home regions. Structured conversations between "champions" and local public health professions are underway, and by program completion, more than 1,000 public health officials will be educated on the importance of discussing the rule of law in the context of public health. The WFPHA is using innovative social networking tools, such as Facebook and YouTube to promote the sharing of information between students, educators, public health practitioners and lawyers.

The WFPHA "champions" of public health and the rule of law program contributes to ensuring that laws are clear, publicized, stable, and fair, and that they protect fundamental rights.

### IV. A RULE OF LAW INDEX FOR SCIENCE AND TECHNOLOGY

The advancement of science and engineering disciplines is affected by legal regimes that either protect or threaten scientific freedom. With support from the Opportunity Fund, the **American Association for the Advancement of Science (AAAS)** is developing a rule of law index for science and technology to determine what legal framework is needed in order to respect the freedom necessary for scientific research.

Modeled after the concept of World Justice Project's own innovative Rule of Law Index, the AAAS is designing a Rule of Law Index for Science and Technology based on a survey of accepted international laws and conventions, such as the Universal Declaration of Human Rights and the International Covenant of Economic, Social, and Cultural Rights. With collaboration between a broad range of scientists, engineers, and lawyers, AAAS is drafting a "points to consider" document for review within the scientific community. This will serve as the basis for the Rule of Index of Science and Technology. Once available, the Index could be a model at the national and international levels for the legal framework necessary to best promote continued innovation in science and technology, so that all citizens can enjoy the benefits of scientific progress and its applications. Moreover, discussion of the Rule of Law Index for Science and Technology furthers and expands the important inclusion of scientists in advancing the rule of law.

The AAAS' Rule of Law Index for Science and Technology contributes to ensuring that government officials are accountable under the law and that laws are clear, publicized, stable, and fair, and that they protect fundamental rights.<sup>30</sup>

### V. COUNTER-TERRORISM, THE SECURITY IMPERATIVE AND THE RULE OF LAW

Under the umbrella of the Opportunity Fund, the **University of Sheffield**, in partnership with the University of Nottingham Law School, Human Rights Law Centre and the Club of Madrid, launched a multi-national and multidisciplinary initiative. The aim was to identify, develop, and improve compliance with rule of law principles when responding to terrorism at the national, regional and international levels. In addition to examining the relevant legal principles, the program is producing practical recommenda-

---

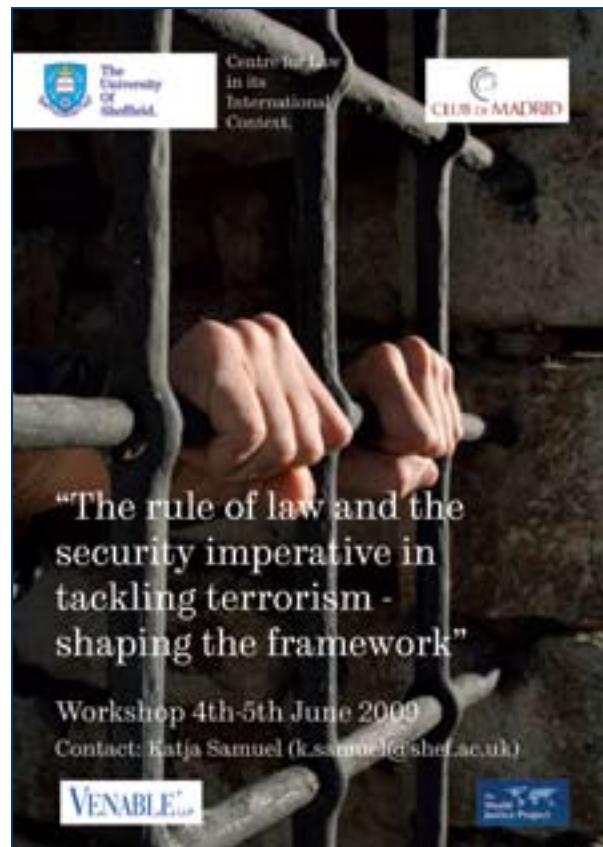
30. The Rule of Law Index for Science and Technology contributes to Rule of Law Index factors 2, 6, 7, 9, and 10.

tions aimed primarily at legal and non-legal policy makers, practitioners and members of civil society. In addition to achieving greater clarity about the nature and content of the relevant principles and to making recommendations, the program is analyzing: the indivisible relationship between the rule of law, fundamental freedoms and democratic values; common unlawful, disproportionate or otherwise inappropriate counter-terrorist responses and their adverse consequences; and the principal benefits of adherence to fundamental rule of law principles such as governmental legitimacy and effectiveness, the maintenance of public safety and confidence; and the potential for rule of law erosions to themselves contribute to the root causes of terrorism and extremism.

The program's multilateral and multidisciplinary relevance is reflected within the UN Global Counter-Terrorism Strategy 2006. The UN Strategy recognized both that: terrorism in all of its forms and manifestations is aimed at the destruction of human rights, fundamental freedoms and democracy; and that violations of human rights and the absence of the rule of law were themselves among the primary root causes of terrorism. Indeed, it is generally acknowledged that erosions of the rule of law can themselves further the agenda of terrorist organizations. The Strategy affirmed that, the promotion and protection of human rights for all and the rule of law is essential to all of its components, "recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing."<sup>31</sup>

Initial research was undertaken between February and July 2009 to identify the program's substantive principles from 13 international courts. Two high-level international workshops were held during 2009 to develop the program's analytical framework and to identify the key research issues on which the program can deliver the most significant normative value. Following both workshops, the program's proposed analytical framework and publication proposal were circulated to a number of eminent experts and international organizations, including the Council of Europe, the European Union Parliament, the Spanish Ministry of Foreign Affairs, members of the UN Human Rights Committee, and the International Committee of the Red Cross for comment and input. All have endorsed the research methodology, analytical framework, proposed specific research questions, intended core outputs, and they are in the process of preparing substantive contributions for the final planned publication.

One of the most positive outcomes of the current program and involvement with the Opportunity Fund has been the strategic partnerships formed, with like-minded people, willing to further rule of law partnerships. This was initially facilitated through the first World Justice Forum in 2008. Another key success feature of the program is its emphasis on WJP's multidisciplinary approach, which has led to the active engagement of experts in a wide array of fields, rather than single disciplinary initiatives, which are mutually strengthening and reinforcing. The program is also working to advance all Four of the WJP's Rule of Law Principles both conceptually and in terms of practice. Conceptually, the program workshops brought increased understanding, clarity, and further development of these Principles within the specific context of responding to terrorism and other security matters. In practice, the program is designed ultimately to encourage greater adherence to the rule of law by governments and their authorities, including through making practical policy recommendations and highlighting some of the benefits of compliance. Specifically, principles being examined include the accountability of, and the role of courts in reviewing the actions of government authorities in relation to the treatment of terrorist suspects.



*Twenty experts attended the first high-level workshop at the University of Sheffield.*

31. UN Security Council Resolution 1456 (2003). See UN Global Counter-Terrorism Strategy 2006.

The program also works to advance the second of WJP's Rule of Law Principles<sup>32</sup> since it is developing key counter-terrorist rule of law principles, which will be incorporated in the program's final publication and disseminated to governments and international stakeholders worldwide. Such recommendations are expected to address: the legitimate and often complex security concerns of governments and international institutions in the context of international legal obligations underpinning the rule of law on terrorism; regional conceptual and interpretative differences including how these may be reconciled; and examples of current best practice on the issues examined.

Overall, the program team has been very proactive and solution-oriented, including overcoming significant economic obstacles to deliver the original objectives. In the process, key partnerships have been formed and important political interest has been gained by key intended users, such as the Spanish government, the Council of Europe, and the European Parliament. Much effort has also been made to approach and involve other key regional organizations. The program goes to the heart of current counter-terrorism discourse, including that of how governments may fulfil their security imperatives without undermining fundamental rule of law norms. Following the production of the research publications, key findings and recommendations will be disseminated through WJP channels.

### VIII. LOOKING FORWARD

Moving forward, the Opportunity Fund will continue to support newly established networks of leaders, promote and facilitate interaction, and support collaborative programs, at the international level. The second World Justice Forum will bring the WJP's constituency together once again to assess its efforts to date, celebrate its progress and establish new international commitments for the coming year.

---

32. Rule of Law Index 2.0, Factor 6.

# ANNEX I

## OPPORTUNITY FUND PROGRAMS AND THE RULE OF LAW INDEX

### OPPORTUNITY FUND PROGRAMS AND THE RULE OF LAW INDEX

**TABLE 1: LIST OF APPROVED ROUND 1 OPPORTUNITY FUND PROGRAMS**

Program Number	Program Name	Grantee	Country	Disciplines
1	World Justice Map	African Conservation Foundation	Kenya	Environment, Human Rights, Law and the Judiciary, Public Health, Science and Technology
2	Strengthening Faith-Based Response to Gender-Based Violence	ACRL – Religions for Peace	Kenya, Uganda, Tanzania	Faith, Government, Human Rights, Law and the Judiciary, Public Safety
3	Environment, Public Health & the Rule of Law	Miaro Zo Association	Madagascar	Business, Environment, Law and the Judiciary, Public Health
4	Lobbying & Civil Society Constituency-Building for Freedom of Information	Media Institute of Southern Africa	Namibia	Government, Human Rights, Law and the Judiciary, Media
5	Rule of Law and Sustenance of Food Security	Global Manifestations Ministries	Nigeria	Business, Human Rights, Law and the Judiciary
6	Rule of Law Watch and Awareness	Human Development Initiatives	Nigeria	Law and the Judiciary, Media
7	Informal Policing Systems Code of Conduct: Capacity Building Training	CLEEN Foundation	Nigeria	Business, Faith, Government, Law and the Judiciary, Public Safety
8	Justice for Women	50/50 Group of Sierra Leone	Sierra Leone	Education, Government, Human Rights, Law and the Judiciary, Media, Public Safety

**TABLE 1: LIST OF APPROVED ROUND 1 OPPORTUNITY FUND PROGRAMS**

Program Number	Program Name	Grantee	Country	Disciplines
9	Rule of Law Watch	50/50 Group of Sierra Leone	Sierra Leone	Government, Human Rights, Law and the Judiciary, Media, Public Safety
10	Labor Education on Occupational Health & Safety	Global Challenge; Kilimanjaro International Institute for Technology, Electronics, & Computers (KIITEC)	Tanzania	Business, Labor, Law and the Judiciary, Public Health
11	Rule of Law and Redress for Gender Violence Training in Schools	Conscience International	The Gambia	Government, Human Rights, Law and the Judiciary, Media, Public Safety
12	Study and Workshop: Effects of Donor Aid on Government Compliance and the Rule of Law	University of Washington; UNDP	Zambia	Environment, Government, Law and the Judiciary
13	Multidisciplinary Rule of Law Network	World Council of Civil Engineers (WCCE)	Zimbabwe, South Africa	Engineering, Government, Law and the Judiciary
14	Multi-Country Study of Women's Land Property Rights	Rural Development Institute (RDI)	Afghanistan, Bangladesh, India, Nepal, Pakistan, Sri Lanka	Business, Education, Human Rights, Law and the Judiciary
15	Environmental Justice by Disclosure of Information on Environmental Rights Protection	Center for Legal Assistance to Pollution Victims (CLAPV; China University	China	Education, Environment, Law and the Judiciary, Public Health, Science and Technology
16	Legal Services – Training, Consultation, & Aid for Migrant Workers	Yunnan University School of Law	China	Business, Government, Human Rights, Labor, Law and the Judiciary, Public Health
17	Legal Empowerment for the Urban Poor	Public Health Foundation of India (PHFI)	India	Environment, Human Rights, Law and the Judiciary, Public Health
18	Environmental Law Education	Center for Environmental Justice (CEJ)	Sri Lanka	Education, Government, Law and the Judiciary, Media, Science and Technology

**TABLE 1: LIST OF APPROVED ROUND 1 OPPORTUNITY FUND PROGRAMS**

Program Number	Program Name	Grantee	Country	Disciplines
19	Environmental Law Compliance Assessment	Law of Nature Foundation	The Philippines	Environment, Government, Law and the Judiciary
20	Counter-Terrorism, the Security Imperative and the Rule of Law	University of Sheffield; Club of Madrid	United Kingdom	Education, Human Rights, Law and the Judiciary, Public Safety
21	Rule of Law Index for Science and Technology	American Association for the Advancement of Science (AAAS)	International	Education, Human Rights, Law and the Judiciary, Science and Technology
22	The PeaceTones Initiative	The Internet Bar Association (IBO)	International	Arts, Business, Labor, Law and the Judiciary
23	World Congress on Public Health	World Federation of Public Health Associations (WFPHA)	International	Education, Law and the Judiciary, Public Health
24	Labor and the Rule of Law	American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)	International	Business, Human Rights, Labor, Law and the Judiciary
25	Growing Up with the Rule of Law	Foro de Estudios sobre la Administracion de Justicia (FORES)	Argentina	Education, Human Rights, Law and the Judiciary
26	Access to Information & Women's Health Rights	Fundacion Pro Acceso	Chile, Peru, Argentina	Government, Human Rights, Law and the Judiciary, Public Health
27	Control Social: Citizen Monitoring for Human Rights	Universidad del Rosario	Colombia	Education, Government, Law and the Judiciary
28	Land Rights for Farmers in the Central Plateau	Zanmi Lasante – PARIS	Haiti	Business, Human Rights, Law and the Judiciary
29	Domestic Violence Centers for Women	Inter-American Bar Association (IABA)	Panama	Education, Human Rights, Law and the Judiciary, Public Health
30	Rule of Law Pledge for Businesses	Ciudadanos al Dia (CAD)	Peru	Business, Government, Labor, Law and the Judiciary
31	Peruvian Agency of Environmental Information	Sociedad Peruana de Derecho Ambiental (SPDA)	Peru	Environment, Government, Law and the Judiciary, Media

**TABLE 1: LIST OF APPROVED ROUND 1 OPPORTUNITY FUND PROGRAMS**

Program Number	Program Name	Grantee	Country	Disciplines
32	Corruption Report of the Americas	Transparency International (TI)	Trinidad & Tobago	Government, Law and the Judiciary
33	Continuing Education in Comparative Law	Ministerio Publico of the state of Parana, Brazil; Center for Governmental Responsibility and the Law and Policy of the University of Florida	Brazil	Business, Education, Government, Human Rights, Law and the Judiciary, Media, Public Safety
34	Women's Access to Health Information	Partnership Center for Development and Democracy (PCDD)	Lebanon	Government, Human Rights, Law and the Judiciary, Public Health
35	Training of Trainers – Anti-corruption in Construction	World Federation of Engineering Organizations (WFEO); American Society of Civil Engineers	Tunisia	Business, Education, Engineering, Law and the Judiciary
36	Post-Guantanamo Bay Recommendations and the Rule of Law	Canadian Supreme Court of Justice, Provincial Trial Level; University of Toronto	Canada	Education, Government, Human Rights, Law and the Judiciary, Public Safety

## OPPORTUNITY FUND PROGRAMS BY REGION AND RULE OF LAW INDEX FACTOR

**Table 2** uses the program numbers from Table 1 to indicate which programs address each of the Rule of Law Index Factors. An analysis of Table 2 reveals that programs are well-distributed across almost all Rule of Law Index Factors and vary by region. While programs operating in Africa and internationally concentrate heavily on factors 6, 7, and 10, those in Asia focus on Rule of Law Index Factors 13 and 14. Programs in Latin America and the Caribbean are evenly distributed among most Rule of Law Index factors. Among all programs, Rule of Law Index Factors 1, 4, 5, and 12 are underrepresented.

**TABLE 2: OPPORTUNITY FUND PROGRAMS BY REGIONS AND RULE OF LAW INDEX FACTOR**

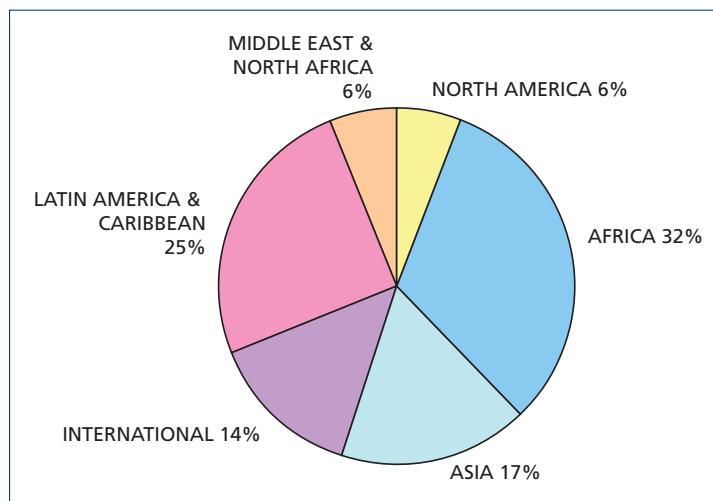
Rule of Law Index Factor	Percentage of Programs Addressing Indicator	Africa	Asia	Latin America and the Caribbean	MENA	North America	Int'l
1. The powers of the government and its officials and agents are defined by a constitution or other fundamental law	3%						20
2. The powers of the government and its officials and agents are limited by governmental and non-governmental checks	42%	1, 5, 9, 13	15, 19	27, 30, 31, 32	34, 35	36	20, 21
3. The government officials and agents are held accountable under the law	44%	1, 3, 4, 6, 9, 13	15, 18, 19	27, 31, 32	34, 35	36	20
4. Military, police, prison officials, and their agents are held accountable under the law	11%	7, 9				36	20
5. The government is bound by international agreements to which it is a party and by customary international law	6%					36	21
6. The laws are clear, publicized, and stable	61%	1, 3, 4, 5, 6, 8, 10, 12	14, 16, 17	25, 26, 28, 29	34	24, 36	20, 21, 22, 23
7. The laws are fair and protect fundamental rights	72%	2, 3, 4, 7, 8, 9, 10, 11, 13	14, 15, 16, 17, 18, 19	25, 26, 27, 29, 31	34	24, 36	20, 21, 23

**TABLE 2: OPPORTUNITY FUND PROGRAMS BY REGIONS AND RULE OF LAW INDEX FACTOR**

Rule of Law Index Factor	Percentage of Programs Addressing Indicator	Africa	Asia	Latin America and the Caribbean	MENA	North America	Int'l
8. The laws protect the security of the person	36%	2, 7, 8, 9, 11, 13	17	26, 29	34	36	20, 23
9. The laws protect the security of property and the right to engage in private economic activity	36%	5, 7, 8, 13	14, 16, 17	28, 30	35	24	21, 22
10. The laws are enacted, administered and enforced through a process that is accessible to the public	61%	1, 2, 3, 4, 5, 6, 7, 8, 10, 12	15, 17	25, 26, 27, 28, 29, 30	34, 35	24	23
11. The laws are fairly and efficiently administered and enforced	33%	2, 3, 7, 9, 13	16, 19	26, 27, 29, 30			24
12. Judges, prosecutors and judicial officers are impartial and accountable	6%	9		33			
13. The judicial system is efficient, accessible, and effective	33%	9	14, 16, 17, 18	26, 27, 29, 32, 33		36	20
14. Persons are advised or represented by competent and independent attorneys or representatives	22%		15, 16, 17, 18	29, 33			22, 24
15. Alternative dispute resolution mechanisms provide independent, impartial, fair and efficient access to justice	17%	2, 7, 9, 11			35		24
16. Traditional, communal and religious dispute resolution systems provide independent, impartial, and fair access to justice	14%	2, 7, 9, 11	14				

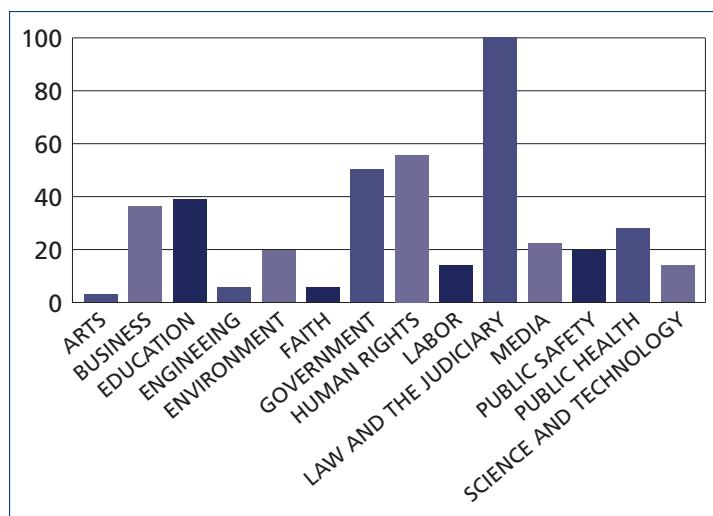
## DISTRIBUTION OF OPPORTUNITY FUND PROGRAMS BY REGION

Through the Opportunity Fund, the World Justice Project engages stakeholders from all over the world, with grantees from Afghanistan to Zimbabwe. In the next round of Opportunity Fund round, the World Justice Project hopes to continue its strong programmatic relationship with Africa, Asia, and Latin America and the Caribbean and augment its programs in the Middle East and North Africa.



## DISTRIBUTION OF OPPORTUNITY FUND PROGRAMS BY DISCIPLINE

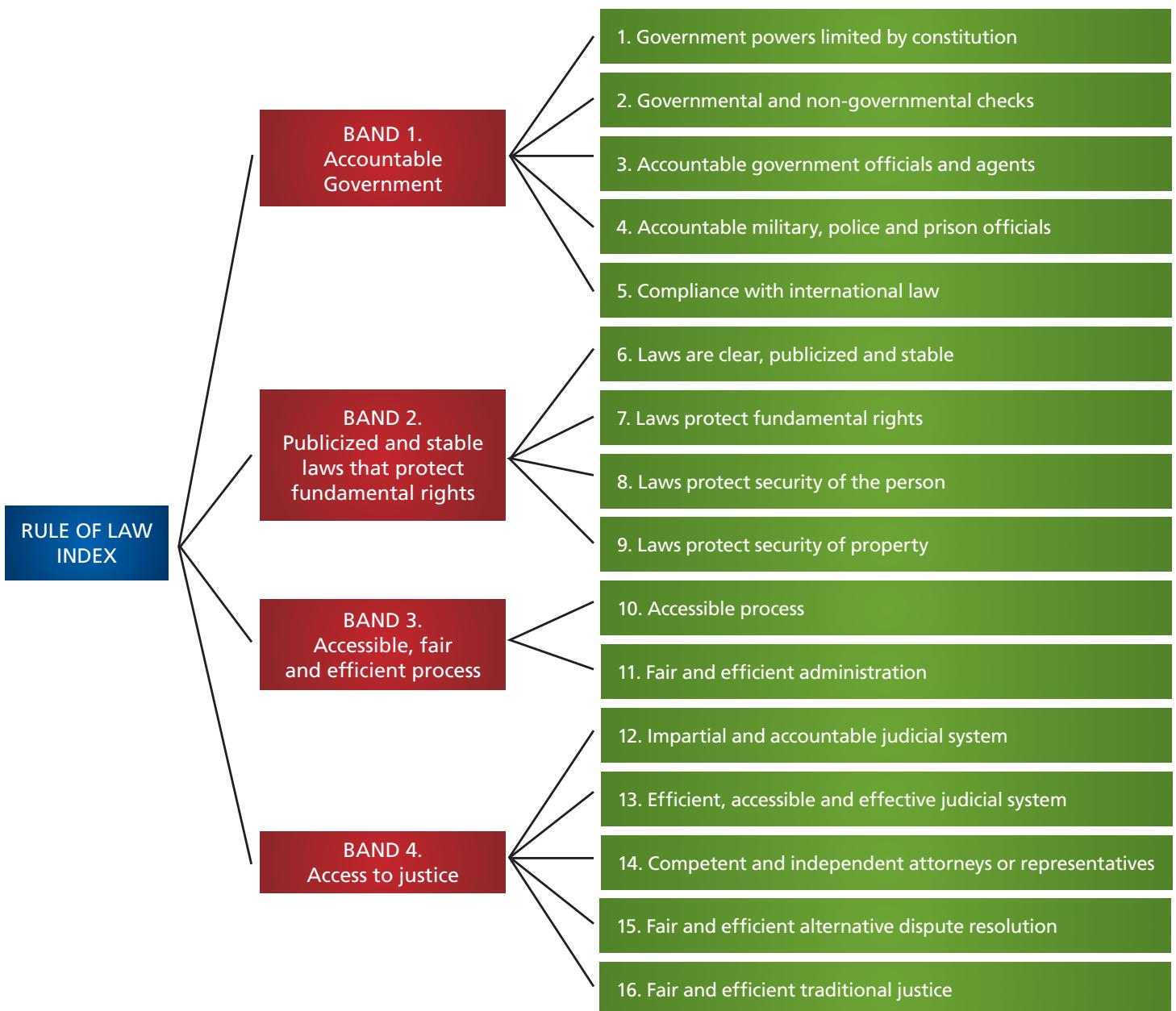
The World Justice Project believes that multidisciplinary collaboration is the most effective way to advance the rule of law and involves a multitude of stakeholders. The disciplines engaged for program implementation range from the arts to business and from faith to science and technology.





# ANNEX II

## RULE OF LAW INDEX VERSION 2.0



# RULE OF LAW INDEX

## VERSION 2.0

### I. THE GOVERNMENT AND ITS OFFICIALS AND AGENTS ARE ACCOUNTABLE UNDER THE LAW.

1. The powers of the government and its officials and agents are defined and limited by a constitution or other fundamental law.
  - 1.1. The powers of the government are defined and limited by a constitution or other fundamental law, whether written or unwritten
  - 1.2. The fundamental law may be amended only in accordance with the rules and procedures set forth in the fundamental law.
  - 1.3. Rights and privileges guaranteed by the fundamental law may be suspended only in accordance with the rules and procedures set forth in the fundamental law.
2. The powers of the government and its officials and agents are limited by governmental and non-governmental checks.
  - 2.1. The fundamental law distributes powers among the organs of the government in a manner that ensures that each is held in check.
  - 2.2. The government has formal processes for independent auditing and review of government agencies.
  - 2.3. The executive branch of the government provides up-to-date and accurate information requested and required by the legislature and the judiciary in the exercise of their responsibilities, subject to such procedures as may be reasonably necessary to protect sensitive information from further disclosure.
  - 2.4. The government provides up-to-date and accurate information to the public and the media, subject to narrow and well justified exceptions defined by law.
  - 2.5. Government officials and agents, members of the media and persons<sup>1</sup> who report official misconduct are protected from retaliation.
3. The government officials and agents are held accountable under the law.
  - 3.1. Government officials and agents are held accountable for official misconduct, including abuse of office for private gain, acts that exceed their authority, and violations of fundamental rights.
  - 3.2. Government officials and agents may be compelled to perform official duties required by law and to refrain from official acts that violate the law.
  - 3.3. The government has formal processes for reviewing the actions of government officials and agents, and applies effective sanctions for misconduct, including removal of high officials through a process that is open to the public.
4. Military, police, prison officials, and their agents are held accountable under the law.
  - 4.1. The fundamental law provides for civilian control over police and the military.
  - 4.2. Military, police, prison officials, and their agents are held accountable for official misconduct, including abuse of office for private gain, acts that exceed their authority, and violations of fundamental rights.
  - 4.3. Military, police, prison officials, and their agents may be compelled to perform official duties required by law and to refrain from official acts that violate the law.
  - 4.4. The government has formal processes for reviewing the actions of military, police, prison officials, and their agents, and applies effective sanctions for misconduct.
5. The government is bound by international agreements to which it is a party and by customary international law.
  - 5.1. The government fulfills its obligations under international law with respect to persons within its jurisdiction.
  - 5.2. The government conducts its relations with foreign governments and nationals, and seeks to resolve international disputes, in accordance with international agreements to which it is a party and customary international law.

---

1. As used throughout the Index, “persons” includes both natural and juridical persons.

## **II. THE LAWS ARE CLEAR, PUBLICIZED, STABLE AND FAIR, AND PROTECT FUNDAMENTAL RIGHTS, INCLUDING THE SECURITY OF PERSONS AND PROPERTY.**

6. The laws are clear, publicized, and stable.
  - 6.1. The laws are reasonably comprehensible to the public.
  - 6.2. The laws, including administrative rules, are published and widely accessible in a form that is up to date and available in all official languages and in formats accessible to persons with disabilities.
  - 6.3. The laws are sufficiently stable to permit the public to ascertain what conduct is permitted and prohibited, and are not modified or circumvented in secret or by executive decree.
7. The laws are fair and protect fundamental rights.
  - 7.1. The laws prohibit discrimination based on economic or social status, including race, color, ethnic or social origin, caste, nationality, alienage, religion, language, political opinion or affiliation, gender, marital status, sexual orientation or gender identity, age, and disability.
  - 7.2. The laws protect the free movement of persons and ideas and the rights of privacy, opinion, expression, assembly, association and collective bargaining.
  - 7.3. The laws protect the freedoms of thought, conscience and religion, and do not require non-adherents to submit to religious laws.
  - 7.4. The laws prohibit forced labor and child labor.
  - 7.5. The laws protect the rights of the accused and prohibit the retroactive application of criminal laws.
  - 7.6. The laws protect the right to seek an effective remedy before a competent tribunal for violations of fundamental rights.
8. The laws protect the security of the person.
  - 8.1. The laws protect persons from unjust treatment or punishment by the government, including torture, arbitrary arrest, detention and exile.
  - 8.2. The laws protect against and punish crimes against the person.
9. The laws protect the security of property and the right to engage in private economic activity.
  - 9.1. The laws protect the right to hold, transfer, lease or license property (including real property, personal property and intellectual property).
  - 9.2. The laws prohibit arbitrary deprivations of property, including the taking of property by the government without just compensation.
  - 9.3. The laws protect against and punish crimes against property.
  - 9.4. The laws protect the right to engage in private economic activity subject to reasonable regulation.

## **III. THE PROCESS BY WHICH THE LAWS ARE ENACTED, ADMINISTERED AND ENFORCED IS ACCESSIBLE, FAIR AND EFFICIENT.**

10. The laws are enacted, administered and enforced through a process that is accessible to the public.
  - 10.1. Legislative and administrative proceedings are held with timely notice and are open to the public.
  - 10.2. The legislative process provides an opportunity for diverse viewpoints to be heard and considered.
  - 10.3. The administrative process provides an opportunity for diverse viewpoints to be heard and considered, and includes mechanisms for participation of persons affected by decisions resulting from these proceedings.
  - 10.4. Official drafts of laws and transcripts or minutes of legislative and administrative proceedings are made available to the public on a timely basis.
  - 10.5. Administrative and judicial decisions are published and broadly distributed on a timely basis.
  - 10.6. The police are accessible to the public.

11. The laws are fairly and efficiently administered and enforced.
  - 11.1. The laws are effectively enforced.
  - 11.2. The laws are not applied or enforced on an arbitrary or selective basis, for political advantage or in retaliation for lawful activities or expression.
  - 11.3. The laws are administered and enforced without the exercise of improper influence by public officials or private interests.
  - 11.4. Persons and entities are not subjected to excessive or unreasonable fees, or required to provide payments or other inducements to officials or their agents who administer or enforce the law in exchange for the timely discharge of their official duties other than as required by law.
  - 11.5. Administrative proceedings are conducted without unreasonable delay and administrative decisions are enforced in a timely fashion.
  - 11.6. Police are adequately trained, are of sufficient number, have adequate resources and broadly reflect the makeup of the communities they serve.
  - 11.7. Correctional facilities are maintained in proper condition.

**IV. ACCESS TO JUSTICE IS PROVIDED BY COMPETENT, INDEPENDENT, AND ETHICAL ADJUDICATORS, ATTORNEYS OR REPRESENTATIVES AND JUDICIAL OFFICERS WHO ARE OF SUFFICIENT NUMBER, HAVE ADEQUATE RESOURCES, AND REFLECT THE MAKEUP OF THE COMMUNITIES THEY SERVE.**

12. Judges, prosecutors and judicial officers are impartial and accountable.
  - 12.1. Judicial proceedings and decisions are free of bias or improper influence by public officials or private interests.
  - 12.2. Prosecutors, judges and judicial officers adhere to high standards of conduct and are subject to effective sanctions for misconduct.
  - 12.3. Prosecutors, judges and judicial officers are selected, promoted, assigned, compensated, funded, dismissed and disciplined in a manner that fosters both independence and accountability, and they broadly reflect the makeup of the communities they serve.
13. The judicial system is efficient, accessible, and effective.
  - 13.1. Prosecutors, judges and judicial officers are competent, adequately trained, of sufficient number, and have adequate resources.
  - 13.2. Judicial proceedings are conducted and judgments enforced without unreasonable delay.
  - 13.3. The laws provide for timely and effective remedies to prevent and address lack of compliance with the law.
  - 13.4. Courthouses are maintained in proper condition and in appropriate locations to ensure access and safety.
  - 13.5. Access to justice is not subject to excessive or unreasonable fees, payments or other inducements to prosecutors, judges and judicial personnel.
  - 13.6. Access to justice is not subject to unreasonable procedural hurdles.
  - 13.7. Criminal defendants with physical and mental disabilities have access to the necessary aids, auxiliary services and other accommodations that enable them to fully participate in their defense.
  - 13.8. Criminal defendants who require it have access to accurate translation services that enable them to understand the proceedings and be understood by the court.
14. Persons are advised or represented by competent and independent attorneys or representatives.
  - 14.1. Persons accused of violations of the law that carry criminal penalties, have the right to be represented by a competent attorney or representative at each significant stage of the proceedings, with the court providing competent representation for defendants who cannot afford to pay.
  - 14.2. Non-profit or government-sponsored legal services are available to ensure that all persons have access to competent advice and representation in civil and criminal cases regardless of economic or social status.

- 14.3. Attorneys or representatives are independent of government control, adhere to high standards of conduct, and are subject to effective sanctions for misconduct.
- 14.4. Attorneys or representatives are competent, adequately trained, and of sufficient number.
15. Alternative dispute resolution mechanisms provide independent, impartial, fair and efficient access to justice.
  - 15.1. Mediators and arbitrators are impartial and independent of government control.
  - 15.2. Mediators and arbitrators adhere to high standards of conduct and are subject to effective sanctions for misconduct.
  - 15.3. Mediators and arbitrators are competent, adequately trained, and of sufficient number.
  - 15.4. Alternative dispute resolution mechanisms provide efficient access to justice.
  - 15.5. Alternative dispute resolution mechanisms provide procedures to ensure that they are not binding on persons who have not consented to be bound, except as required by the law or a court of law.
16. Traditional, communal and religious dispute resolution systems provide independent, impartial, and fair access to justice.
  - 16.1. Traditional, communal and religious adjudicators are independent and impartial, adhere to high standards of conduct, and are subject to effective sanctions for misconduct.
  - 16.2. Traditional, communal and religious dispute resolution systems respect and protect fundamental rights.
  - 16.3. Traditional, communal and religious dispute resolution systems provide procedures to ensure that they are not binding on persons who have not consented to be bound.



*World Justice Project*  
WORLD JUSTICE PROJECT  
740 15 STREET, N.W., WASHINGTON, DC 20005-1019 USA  
+1 202 662 1013  
[www.worldjusticeproject.org](http://www.worldjusticeproject.org)  
[wjp@staff.abanet.org](mailto:wjp@staff.abanet.org)